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ADDRESS OF THE COMMITTEE

TO PROMOTE THE PASSAGE OF

A Metropolitan Health Bill.

NEW-YORK, DECEMBER, 1865.

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Please Circulate.  
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New-York:
JOHN W. AMERMAN, PRINTER,
No. 47 CEDAR STREET.

—
1865.

COMMITTEE.

The Committee on Legislation, as now constituted, consists of the following gentlemen :

D. B. EATON,	NEW-YORK.
W. E. DODGE, JR.,	"
C. R. AGNEW, M. D.,	"
THEODORE ROOSEVELT,	"
GEORGE BLISS, JR.,	"
CHARLES L. BRACE,	"
JOHN A. WEEKS,	"
GEORGE F. NOYES,	"
JAMES R. WOOD, M. D.,	"
WILLARD PARKER, M. D.,	"
A. A. LOW,	BROOKLYN.
JOHN A. CROSS,	"
CHARLES L. BENEDICT,	"
THEODORE L. MASON, M. D.,	"
LUCIEN BIRDSEYE,	"
EDWARD A. LAMBERT,	"

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ADDRESS.

NEW-YORK, *December* 15, 1865.

FELLOW CITIZENS :

THE public papers have made it generally known that a considerable meeting of influential and public-spirited citizens was held in New-York in November last to take steps to protect the cities of New-York and Brooklyn, and incidentally the whole State, against the threatened visitation of the cholera during the coming spring ; and also to secure the passage of a proper "Health Bill" for those cities and vicinity.

The proceedings of that meeting were generally noticed in the papers of the 8th of November, and below will be found the substance of the reports as given in *The Tribune* and *The Times* :

A meeting of our most influential citizens and physicians was called on Monday evening, at the house of Dr. WILLARD PARKER, to consider with the Hygienic Council the best means for averting the cholera and promoting the sanitary welfare of the city. Reports were presented to the council by Drs. HARRIS and POST in relation to the history of the cholera and the best present means to avert it. The plan laid before the meeting of the council through Dr. POST will be presented hereafter more in detail to the public. It embraces a house-to-house visitation of the poor wards, districted into thirty-one divisions, by physicians employed for this purpose, who will prescribe for those afflicted with the premonitory symptoms. Besides this, cholera dispensaries are to be formed, and "houses of refuge," or tents,

where the poor can be placed, if it should be necessary to cause their houses to be vacated for the purposes of cleansing them. For this the council desire to raise \$50,000. Remarks were also made by Mr. BRACE in regard to his recent visit to England, showing the remarkable results produced on cholera and other diseases by good sanitary arrangements, and urging the passage of the Health Bill. The meeting then organized with Dr. BELLows in the chair, and C. L. BRACE as Secretary. Addresses were delivered by MESSRS. STURGES, EATON, ROOSEVELT, VERMILYE, Dr. BELLows, Dr. WARD and others. The plan presented by the Hygienic Council was adopted. The following committees were appointed :

Committee on Legislative Action.

D. B. EATON,
W. E. DODGE, Jr.,
C. R. AGNEW, M. D.,
THEODORE ROOSEVELT,
Col. GEORGE BLISS, Jr.,

C. L. BRACE,
JOHN A. WEEKS,
GEO. F. NOYES,
J. R. WOOD, M. D.,
WILLARD PARKER, M. D.

Committee on Finance.

HOWARD POTTER,
J. C. GREEN,
R. J. LIVINGSTON,
PETER COOPER,
J. S. SCHULTZ,

R. A. WITTHAUS,
R. B. MINTURN,
W. H. ASPINWALL,
W. A. BOOTH.

Among those present were the Hon. E. D. Morgan, Hon. Mr. Conkling, Jonathan Sturges, Esq., Royal Phelps, Esq., Chas. Kirkland, Esq., E. J. Jaffray, Esq., A. R. Wetmore, Esq., Col. Vermilye, J. Cowper Lord, Esq., Rev. Drs. Chapin, Tyng and Bellows, Drs. Harris, Delafield, Anderson, Stephen Smith, Joseph Smith, Wood, and many others.

Among the persons present at that meeting were several of those connected with the "Citizens' Association," who, under its auspices, came so near securing the passage of a Health Bill at the session of the Legislature of last year. The

failure of last winter, so disgraceful to some members of that body; the continued inefficiency and profligacy of the existing health authorities, together with the general sense of impending danger now felt, and the better spirit which, since the great national restoration, has pervaded the public mind, have so aroused public indignation and invigorated the general determination for reform, that the demand for a change in the health laws and for the overthrow of the existing corrupt, imbecile and disgraceful system is loud and earnest, and comes up from all classes.*

It will be seen that the plan of the meeting embraced two separate undertakings, for each of which a committee was appointed. One to raise money to be used through a voluntary agency, (substantially the same as that adopted relative to other matters by the Citizens' Association,) in guarding the poor against the inroads of that disease and causing the removal of some of its most dangerous causes, pending the time when the passage of a health bill may, it is believed, be secured. The other to carefully prepare and mature such a health law as is needed, and to take the requisite measures to cause the same to be fully understood, and to protect this great measure of reform, as far as possible, from the attacks it is sure to receive from those interested in the existing abuses, or who make party politics paramount to all religious and moral obligations. It was believed that all other opposition would be readily removed by a careful examination of such a law as would be proposed. The committees appointed to take in charge each of those branches of the general subject at once entered on the discharge of their respective duties.

We did not feel at liberty to decline so important a trust. What concerns the security of life and health in the cities of New-York and Brooklyn, concerns, and, to a large extent, also predetermines the prosperity, the public decency,

* The remark relative to the inefficiency and corruption of the present system, &c., applies especially to New-York. In Brooklyn those remarks are not true. Only the system there is open to serious objection.

the general morality and the religious observance of large portions of their people. Besides, these cities are to the State something like what the heart is to the body; the centre of life and activity, through which the living currents of individuals continually flow and reflow to and from every portion of the State. If disease, contagion and death are here, they will soon be every where over the State. To lessen the average number who are sick, is to empty the poor-houses and asylums, and reduce the candidates for admission—to decrease the public taxes, and increase the number who contribute to pay them—to improve general comfort and happiness, and to render that service to poverty and misfortune which health and prosperity can never neglect, without paying a ten-fold penalty in the common misery and burthens which they cannot escape.

The question of health reform in New-York and Brooklyn is a question that not merely affects the rate of taxation, the number of paupers and lunatics, the ratio of disease and mortality, the general cleanliness and decency, the honor and public reputation of those cities and their people, but it extends to the whole State, and, to a great extent, to the whole nation. New-York is the great national centre, whose fashions, tastes, buildings, institutions and morals are very quickly felt and imitated all over the country. Dirty streets, filthy alleys, nauseous smells, over-crowded houses, ill-ventilated cellars and garrets, general recklessness of life and health, exhibited in such a centre, are the cause or the apology for similar abuses in many a country village and interior city. While every illustration here of what is pure in taste, wise and efficient in government, elevated in morals, and beneficent in spirit, is seen and felt by millions, and secures admiration and imitation all over the length and breadth of our great country. The noble charities to which New-York has given birth have quickened hundreds of similar institutions in life.

The beauty and taste of Greenwood have their rivals, in humble measure, in scores of country villages. The excellent police system of New-York—the result of a wise remedy of abuses

which no civilized community could longer endure—has been copied with more or less success in all the larger cities; till policemen from Boston, New-York, Philadelphia and Washington cannot be readily distinguished. The Central Park is the pride and the envy of every great American city, and even the war taxes are hardly sufficient to restrain its imitation in the larger villages.

There is no reason, not disgraceful to every intelligent man and woman in the cities of New-York and Brooklyn, why those cities should not give to the country a wise and beneficent system of health laws, founded in the highest principles of morals and religion, and framed by the best lessons of science and experience; which, while they bless the community to which they especially apply, shall also be a noble contribution, throughout the State and nation, in behalf of all that is beneficent in government.

Looking to financial results alone, there is no law that can be passed that would be of so much advantage, in a pecuniary point of view, to all classes, as a law which reduces the number who are sick and disabled, and extends the period of labor and life, especially among the poor, who suffer so much from ill health, by reason of the unfitness of their apartments and the unhealthy surroundings of their homes. The committee believe, that for the reasons stated, a reform, in the particulars alluded to, would be very soon felt in the rate of taxation; to say nothing of removing from office the hundreds of idle drones who now, as pretended health officers, live at the public charge.

In the discharge of the duties imposed upon them, the committee have spared no pains to secure the full co-operation of the people of Brooklyn. No adequate reform of the health laws of New-York can be made that does not include Brooklyn and the vicinity of the two cities. As to disease and health, the cities are, in no limited sense, one. Purely local causes have made New-York the more unhealthy of the two cities, but in case of pestilence, they must share a common peril and be protected by concerted measures. The people flow back and forward from each to the other daily. It would

be hardly more practicable to adequately protect one without control over the other, than to purify the water of one end of a dirty pool, with no right to interfere with that of the other.

We are glad to be able to state that the people of Brooklyn appear disposed to be united with New-York and the residue of the section that composes the present Metropolitan Police District, into a Metropolitan Sanitary District. Last year such a union could not be secured, and the bill proposed related mainly to New-York.

Another difficulty of last year arose in connection with street cleaning. That great work, so disgracefully connected with charges of the most stupendous frauds and official delinquencies, was placed by the city government of New-York in the control of its most corrupt department, the City Inspector's Department, at the head of which is the celebrated *F. I. A. Boole*, who reports he had expended in one year the enormous sum of \$812,003 85! (See his Report for 1864.) The power and duty of cleaning streets could not be given to a Board of Health without destroying its true theory and constitution, and, perhaps, reducing it to the level, if not of a political, at least of a mere business machine. Nor could that almost universally execrated department of the city government be abolished until some provision was made for the great work of cleaning the streets. Hence the Health Bill of last year was, of necessity, so framed as to leave the City Inspector's Department in existence, though it was by that bill shorn of much of its power of mischief.

The Legislature of last year having taken from the City Inspector's Department the power over street cleaning, and secured their being cleaned by a special board, for \$500,000 per year, there is now no reason for not (but every possible reason for) totally abolishing the Department of the City Inspector of New-York and all its connected abuses and extravagances.

Adopting, therefore, the general theory and features of the excellent bill of last winter, adding Brooklyn to the Health District, abolishing the Inspector's Department, giving the appropriate powers and duties therefrom to the Health

Board, and handing over certain of them to the Police Board, (which can there be more properly discharged, and the committee have drafted a brief law for that purpose,) the committee have framed a Health Bill which they trust will prove much more satisfactory, as they are sure it will be more economical, efficient and useful than the present system.

The framing of a proper Health Law is a subject of considerable complication and difficulty, and has called for much consideration of local interests, laws and feelings. The bill, in all its parts, has been carefully framed, so that if its harmony and adaptation are not impaired too much by hasty amendments, they hope it will be found, after due experience, to answer the reasonable expectations of the people, and to achieve the most beneficent results.

It is very desirable, in view of the approach of cholera, that the law should be put into efficient operation at as early a date this winter as possible. To secure this result the bill must be passed at an early stage of the session, and must be passed *complete*, and the long delay likely to attend nominations by the Governor of names to fill the Board, and their confirmation by the Senate, if practicable, be avoided. Besides, there are men well known in the District, who are already familiar with the whole subject of public health and the proper means of its improvement, and are ready to engage at once in the work from a high sense of duty. The committee have thought it their duty to present the bill with the membership of the Board, (as was the case with the first police bill,) filled with names of persons whom the people of the city will rejoice to see retained, and who will cause the law to be put into prompt, harmonious and wise execution. They are men who know the work needed to be done and how to do it best.

The committee have felt called on to disregard all political considerations, and, in so doing, they have every reason to believe they but anticipate the action of the legislative and executive departments of the State government.

There can be but little patronage, and there ought to

be no political partisanship in connection with such a subject.

The committee have great confidence in the passage of the law at an early stage of the session. The public indignation that followed the defeat of the bill last year, and the stern rebuke administered by their constituents to such members as were believed to have defeated the bill from unworthy motives, will not invite repetition this year, even if any of that class of men had been returned.

With these general observations, the committee might bring their remarks to a close, but they feel that some further explanations and illustrations may be useful, if, indeed, they are not demanded of them. They cannot be unmindful that abuses, well known here, may be quite unknown to some members from the country. Lawyers, who are members, will desire to know what inadequacy in the laws is complained of; physicians what causes of disease are sought to be removed; unprofessional members will ask, generally, what abuses there are which the proposed law is intended and adapted to remedy, especially in view of the fact that we seem to ask to have a law passed *complete*, as we *have prepared it*. And besides, we have made some statements affecting certain officials, which may be thought to call for facts to sustain them. At the hazard, therefore, of extending this address to an unreasonable length, we shall endeavor to anticipate this possible demand for facts and explanations.

1. Nature of Health Laws.

The dangers to health increase vastly with the population of places, and the density of such population. Density of populations endangers health in two ways: first, by impairing ventilation and otherwise producing habits and conditions that *originate* disease; and secondly, by greatly increasing its spread by exposure and contagion.

For this reason, laws relating to public health have usually

originated in large cities; and it is in the older countries, and in the experience of the great cities, that examples of adequate health laws are to be sought. In this country, therefore, this field of legislation is yet to a great extent unoccupied.

It is impossible that a Health Law should declare much more than authority in general terms, leaving the officers that administer them to apply them according to the exigency of the danger. Moreover, it is apparent that the execution of a Health Law requires great intelligence and experience in the officers. The duty of the Health Officer is to study the causes of danger to public health, to discover their remedy, and then to apply the power he possesses to the removal of the causes. This implies a sort of *minor legislation* all the time on the part of the Health Officer. He is not simply directed to do a *specific thing*, but is required to *discover hidden causes*, to *devise the proper remedy*, and then to exercise the legal power of removal and redress.

It is not the province of a Board of Health to simply cure diseases or consult the health of individuals. Such boards are to attend to the pervading dangers that affect the general public health. To devise and apply wise precautions against the hidden causes of disease which threaten the health of communities or classes, is their especial duties. The precautions relative to the soil we dwell upon—the houses we live in—the drainage of waters—the food and drink we consume—the places of public gatherings—the filth that poisons the air—the trades that contaminate localities—the decoctions and drugs that are used as remedies—the precautions against contagions—the arrest of pestilential disease.

A law of 1850 affords a striking illustration of a Health Law, as applied to draining a swamp.

(See laws 1850, p. 585, ch. 271.)

It must be apparent that such duties can be performed only by scientific and intelligent officers who act in concert, and for a series of years, upon a wise systematic method. Many of the most important results sought can only be

reached by a long and careful study, and by comparison of systematic observation and experiments.

It would seem very plain that a Board or Commission with continuity of succession that should make the subject of public health a special topic of study and observation, would be best calculated to attain the end sought; and the science of health must, from its nature, be a progressive study, and all health boards should lay before the community full reports of their experience and observation as well as of their ministerial acts.

One of the earliest Health Laws, marked by any noticeable comprehension or insight, is the English law of 1848, relating mainly to London. That law originated in a "Report of her Majesty's Commissioners of Health." In 1847 it was formally announced in the English Parliament, that "Her Majesty had thought fit to appoint a commission to report on the best means to improve the Health of the Metropolis," &c.

That Report resulted in the elaborate law of 1848, which created a "*Metropolitan Board of Health*," and gave it large powers.

In 1858 a more elaborate act of Parliament enlarged the health powers of this Board, and extended the law to the other larger cities of the United Kingdom; and it is well known to all who have given the subject of public health the attention it demands, that the effect of these laws has been to lower the death rate, to lessen disease in the great cities of Great Britain, and to extend the term of human life. This Board has been an intelligent centre of benevolent, sanitary and scientific inquiry, and has enlisted, to a very salutary extent, public interest in the sanitary condition of the lower classes, and aroused a concert of action for the promotion of public health throughout the United Kingdom. No corresponding action has yet been taken on this side of the ocean, but in France a similar work is in progress.

In New-York such a work is imperatively demanded. It has every natural facility for being a very healthy city,

but is more unhealthy than London, Paris, Philadelphia or Boston. The main cause of this unfortunate result is believed to be found in the neglect of those precautions which wise health provisions, wisely administered, would, in a few years, afford.

There is not, and has not been, in New-York, any body deserving the name of a Board of Health—any body that embraces any considerable portion or representation of the educated mind, of the sanitary experience, of the medical science, of the benevolent heart, or even of the practical administrative talent of the city.

2. Present Health Officers.

The organizations that have had the exercise of health powers in New-York have been mainly political bodies, or, at best, bodies that devoted most of their attention to political and general municipal affairs. The subordinate officers have, in the main, been utterly unqualified to act as health officers, and have had a variety of conflicting duties to perform, and have been appointed largely in reference to political opinions and influences.*

Besides, the health powers are distributed in such a manner as to cause great uncertainty as to who are authorized to exercise them; and there is a necessity of consulting so many officers, that concert of action is nearly impossible, even if the officers were capable and desirous of serving, with singleness of purpose, the cause of public health. *The result has unquestionably been, that the Health Laws applicable to the City of New-York have never been usefully or wisely administered; and, as now delegated, they are found to be nearly impracticable; the public health is greatly and needlessly exposed, and, by reason of the disease spread from the army, is now much more endangered than ever before.*

Disease cannot be confined to localities where it origi-

* See extracts from Mr. Delavan's Report in the Appendix.

nates or most readily spreads, but is soon carried along the rail-roads and rivers, and on the wings of the wind, and speedily finds its way into all parts of the State and nation. Hence, while the people of the city are directly interested in its sanitary condition, the danger in the city is yet the common danger of all the people of the State.

The existing organization and the principal authority concerning public health in the City of New-York are derived from the 275th Chapter of the Laws of 1850. (Laws 1850, p. 597.)

It will require but little examination to see that the law is so imperfect that its efficient execution is nearly impracticable, and the strange provisions almost force one to the belief that there was a design in their confusion.

§ 1. Confers all *legislative* power on the subject of health upon the Mayor and Common Council. It is not easy to understand the force of the words "*legislative* power."

§ 2. The Mayor and Common Council, when acting in relation to health, are made a *Board of Health*. Ten members make a quorum, and the Mayor is made President of the Board.

Now, it is known there are two Boards of the Common Council, and it is not said whether all the ten composing a Board of Health may belong to one Board, or must belong in part to both, to make a legal Board of Health. Besides, the two Boards of the Common Council are composed of more than twenty members, and, *hence, there may be two separate legal Boards of Health in existence at the same time; and what ten politicians ordered to-day as a Board of Health, twelve or fifteen other members of the Common Council, (who did not act to-day,) may reverse to-morrow, and, as a separate Board, may make other orders.*

Besides, the Board of Health has no power, save when the Mayor chooses to call the Board together, and, as often has been the case, the Mayor will not make such call. The law does not provide whether he need *call* more than ten members to make a legal Board. There has been no meeting of the Board, it is believed, since 1863.

The practical effect of this power of *calling* the Board together by the Mayor is well illustrated in the Report of the City Inspector, (Mr. Boole, who exercises at this time the principal health powers in the city,) who says, in his Annual Report, filed in January, 1865 :

“Neither my desire, nor that of the Common Council, has been able to induce the Mayor to convene the Board of Health, and the city is thus deprived of their action on matters of pressing importance, when the authority is *absolutely necessary for efficient action.*”

Probably many good citizens agree with the Mayor, that the only action likely to be taken would be quite foreign to public health, and would be very dangerous to the public purse. So, in the meantime, and at this threatening period, *there is almost no execution of the health laws.*

§ 3. This provides for *secret* sessions of the Health Board.

§ 4. Creates a *distinct* Board, known as “Commissioners of Health,” and

§ 5. Declares the duty of the latter to be, to “*advise* the Mayor and Board of Health,” and also the “City Inspector.” It will be observed that *no physician* is a member of the Board of Health, or has any authority to be present or ask a hearing at its meetings.

§ 6. A Health Officer is created, and he is to perform the duties which the Mayor and Commissioners of Health or the Board of Health shall order. The orders of such separate bodies may be quite inconsistent, and who the City Health Officer shall obey, is quite uncertain. The result is, he does nothing, or does as he pleases.

§ 7. This Health Officer may appoint an assistant who may perform *all his duties*. Hence, the principal may do nothing, and his office be a sinecure, and the duties all be devolved on his assistant, who is *not* named or removable by, or responsible to, *either the Board of Health or the Commissioners of Health.*

§ 8. Defines the duties of the Resident Physician, and makes it the duty of this doctor to attend to the private wants of any person who is “reported” (by whom ?) to either

the Board of Health, to the Mayor, or to the Commissioners of Health. It is plain the Resident Physician is clothed with no duty properly relating to public health. No class or description of persons are directed to be attended to by that officer.

§ 9. The Health Commissioner is created by this section. He is merely an assistant of the Resident Physician.

§ 10. This requires that the Mayor and Commissioners of Health shall meet daily, but as they are only to *advise* the Board of Health, *which does not meet at all*, and in regard to which there is no provision for meeting, this section is quite remarkable, even as compared with the other parts of this remarkable law.

§ 11. This gives the Resident Physician a salary of \$1,250 ; and the Health Commissioners an *annual salary of* \$3,500. Now, as the Resident Physician is, by the fourth section, made one of the Health Commissioners, he draws a salary in each capacity, and is, therefore, entitled annually to \$4,750.

The sums paid to these several officers, for pretended services as Health Officers, are, therefore, in the aggregate, not less than \$22,250 annually ; and it may be said, without exaggeration, that they perform no valuable services in the sphere of their public duties, and only the two physicians perform even a limited service of any kind.

The Health Physician and Health Commissioners are appointed by the Mayor.

§ 12. This section authorizes the Board of Health to appoint an unlimited number of persons to office.

Title 2d, (extending from pages 599 to 607,) of this Health Law of 1850, confers upon these impracticable health tribunals a large portion of all the authority conferred by law for quarantine purposes. The tribunal was so inefficient and useless, that the exigencies of quarantine service caused that power to be taken from the Health Board altogether. And finally, by a law of 1863, (Laws of 1863, p. 573, ch. 358,) a regular Board of Quarantine Commissioners was established, and the power over quarantine was given to that Board, and it is not proposed to interfere with that power or Board.

Similar relief is now greatly needed for the City of New-York.

Returning again to the Health Law of 1850, p. 607, as applicable to the City of New-York, we find Title 3d, Article 1, § 1, provisions that greatly add to the confusion and uncertainty before referred to. For large powers over public health are conferred specifically on the "City Inspector of the City of New-York." Whether these are a part of the *legislative* powers before mentioned as conferred on the Mayor and Common Council, or are a different class of powers, is a matter of great perplexity and doubt.

Certainly the powers of the Inspector are very extensive and unguarded.

(1.) He may appoint, with the consent of the Aldermen, "so many Health Wardens and *other officers*" as "the Common Council *or* Board of Health shall direct," &c., "such Health Officers and Wardens, &c., are subject to the *control of the City Inspector of the City of New-York.*"

We have seen that the two Boards of the Common Council, (with the Mayor as President,) or *any ten of them being a quorum*, constitute the Board of Health. Hence *any such ten members*, on the nomination of the Inspector, may appoint just such Wardens and officers as they see fit.

(2.) These Wardens and officers are to report the sanitary condition of the city, not to any Board of Health, but to the Mayor and Commissioners of Health. We have seen that the duty of the latter officers or Board is only to *advise* the Board of Health. Was there ever such confused, impracticable and ill-devised legal machinery. There is no provision that any of these Wardens or officers shall be physicians or men of science or experience. It is well known they are, most of them, mere politicians, who draw their large salaries and otherwise utterly neglect their official duties.*

(3.) Then follows sundry other powers given to the City Inspector, including cleaning of lots and places, but he is

* See their names and occupations stated at length in one of the Appendices.

obliged to consult the Mayor and Commissioners of Health as to such matters.

(4.) Then, at page 608, §§ 2 and 3, "the Mayor, Aldermen and Commonalty of the City of New-York," &c., are authorized to make all By-laws they may deem necessary to preserve the public health.

It will be seen that the exercise of these powers is quite inconsistent with powers given to the City Inspector alone, and it is no matter of wonder that the health regulations of the city are in a state of inextricable confusion.

Whether the body referred to in §§ 2 and 3, page 608, is the same body as that referred to in § 5, page 609, and in § 2, page 597, is by no means easy to determine.

If the various powers conferred on the Board of Health, Mayor and Common Council, Commissioners of Health, and City Inspector, at pages 607 to 615, were all conferred upon a single Board of Health, made up of six or eight intelligent persons, of whom one-half were experienced physicians, these powers could be exercised with a third part of the cost to the city, and in that wise, harmonious and efficient manner that would avoid the present confusion, and vastly promote the health of the City of New-York.

Sections 10 to 13, inclusive, of pages 610 and 611, (Laws 1850,) afford striking illustrations of the confusion that follows, conferring power on so many different officers with such undefined relations. It is not a matter of surprise the reports required are almost never made.

As no small portion of all the health powers really exercised in the City of New-York are that portion conferred upon the City Inspector, and as it is that officer that has expended those vast sums of money that have raised so much alarm, it is proper to consider the origin and nature of his department, and to call attention to its administration.

3. City Inspector's Department.

The amendments to the City Charter, (Laws 1849, ch. 187, pp. 278 to 285,) established numerous departments in the city

government. The 16th section of the act creates a department in the city government to be called the "City Inspector's Department," and it is declared this department "*shall*" have cognizance "*of all matters relative to the public health*" of said city, and the chief officer thereof shall be called the "City Inspector." This looks more like a concurrent than like an exclusive jurisdiction.

The 20th section provides that all heads of Departments shall be elected every three years by the people.

The term was changed to two years by the 21st section of the act of June 14th, 1857, ch. 446, and by the 19th section of the same act the Mayor appoints and the Aldermen confirm the City Inspector.

And by the 27th section of the last cited law the power of the City Inspector's Department was further modified and is now as follows: "The City Inspector shall *have cognizance* "*of all matters affecting the public health, pursuant to the ordinances of the Common Council and the lawful requirements of the Commissioners of Health, and of the Board of Health.*" There shall be a bureau in the City Inspector's Department to be called the Bureau of Sanitary Inspection and Street Cleaning, under the control of an officer named "the Superintendent of Sanitary Inspection," etc., etc., and that officer is "to remove nuisances detrimental to public health," etc.

(See Valentine's Laws relative to City of New-York, p. 275.)

When the powers given the Inspector in 1849 and those given in 1857 are compared with the before-recited law of 1850, it will appear to be almost impossible to decide what powers relative to the public health are at this time in the City Inspector; what in the Board of Health; what in the Mayor and Commissioners of Health; and there is no occasion for surprise—that the City Inspector is the only officer that enters upon the exercise of any health power. Yet this officer is, at this moment, said to be under sentence of removal or suspension by the Mayor, under 21st section of the Charter of April 14th, 1857!

Hence it is, *that at this time, the vital and responsible*

powers over the public health, (distributed with such confusion through so many bodies,) and the vast patronage of street cleaning and general inspection in the city, (till last winter,) and the annual expenditure of near a million of money, are all now, save street cleaning, in the control of a single officer, who is at the head of one of the numerous subordinate departments of the city government.

And it cannot be denied by any one who will look into the facts, that a large portion of the shameful abuses to which this condition of things has given rise, results naturally from the confused and impracticable laws under which the powers of the city government are exercised.

No extended reference can here be made to the Ordinances of 1859, under which the immense powers of the City Inspector's Department have been consolidated and made effectual for those vast expenditures and flagrant abuses which now alarm and arouse the public mind. They give the most important powers of municipal legislation in the City of New-York. The ordinances of this department alone, as published in 1860, fill ninety printed pages, and no one can read them and any longer wonder at existing abuses.

A copy of the Report of F. I. A. Boole, City Inspector, for the year 1863, dated July 22, 1864, is before us, and was published at the expense of the city. It fills 518 closely printed *gilt-edge* pages, is bound in *morocco*, and is beautifully *embossed and adorned with gilt letters and designs*, and the name of the donee, in gilt letters, appears on the gorgeous cover. He was doubtless a *valuable friend* of the Inspector. Any one who has seen this rich specimen of official book-making will ever after read a corporation printer's bill with diminished surprise, and lose half his wonder at the millions paid for city inspection and street cleaning. Not much can be said here of its significant contents.

There were, in 1863, in the City of New-York, of marriages, 3,272; of births, 6,426; of deaths, 25,196—as Mr. Boole reports at page 7. At page 10, he makes certain comparisons of the death rates of London with those of New-York, so im-

perfectly as to be no guide, it is true. Yet he makes the figures show that the rate of deaths is higher in London than in New-York, and then triumphantly calls upon the community to give the credit "due to the *enforcement of sanitary regulations in New-York*," which have, he thinks, contributed to the result he reports.

There never was a more unfortunate request. He assumes, in his comparison with London, the correctness of his own returns, and asks to be judged as to his manner of enforcing sanitary regulations on the basis of the correctness of those returns of his Report. Now, by these returns, in 1863, 6,426 human beings were born, and 25,196 died, in the City of New-York, a *net decrease of population*, and a total loss, under Mr. Boole's enforced sanitary regulations, of 18,770 human souls in a single year! Perhaps, if this be a fair specimen, false reasoning, presumption and extravagance were never united in larger proportions than in the City Inspector of the City of New-York.

It is hardly to be doubted that the returns of marriages are very defective, and it is manifest that those of births or deaths, and, perhaps, both of them, have not an approximation to truth.

Yet this officer, in his gorgeous Report, at page 11, says, "It is in vain that those who have not access to *reliable statistics*," (of course, meaning the Reports of the aforesaid City Inspector,) pretend that New-York is not the most healthy of the great cities of the world.*

It is not the purpose of these remarks to establish the solemn truth, that the contrary is the fact. Nor can we stop to expose the other and frequent errors and assumptions of this extraordinary Report.

There is a law, of the 2d day of April, 1853, relative to births, deaths and marriages, and providing that the City Inspector of the City of New-York shall keep a record thereof, and that there shall be collected a fee for the registration of the same, of such amount as the city authorities may authorize. It may be suggested that it would have been interesting to the public to have known the rates charged for this regis-

tration, the number of thousands of dollars collected by the City Inspector for such service, and the disposition made thereof; we find nothing on the subject in this gilt-edged Report, or in the Report of the Comptroller. Where is the money?

With the unparalleled present powers of the City Inspector's Department, it is a little surprising to read at p. 12, that the City Inspector has repeatedly demanded, in vain, *additional* powers "to render the powers of the City Inspector more effective"—for what?

And it is some proof of the impracticable nature of the laws we have referred to, and illustrates the fatal confusion and hostile rivalry that grows out of the present delegation of the power over public health, to read this language at the 12th page of this gilt-edged Report: "It is *not true*, as alleged "by his Honor the Mayor, in his late communication to your "honorable body, that I possess a power that no *honorable "man should desire to exercise."*

Does not a solemn sense of public duty to a great city, whose miserable government, reeking filth and pestilential air, not only degrade the morals and endanger the lives of its own citizens, but those of the people of all the State, sternly demand of the Legislature some prompt and efficient remedy for those unseemly official conflicts and criminations—those confused and impracticable laws, and those alarming consequences?

We agree with the declaration of Mr. Boole's Report, at p. 13, that in London and Paris "it is a fact worthy of all praise," &c., "that all that concerns public health receives the prompt attention of government," &c., and, we may add, the appropriate attention of metropolitan health bodies. And we now ask that the government of the State of New-York will attend to the same subject, and establish a similar Metropolitan Health Board to those of London and Paris.

At page 21, it is stated that, in the City of New-York, 6,000 families live in underground cellars, which nurseries of disease are inhabited by 18,000 persons. He says his Health Wardens *daily report* the state of all these localities.

It is to be *hoped they do*, and that they are good, devoted men, who make these reports, and that none of them are mere political hacks and keepers of groggeries; but the contrary is believed, and no reports have been seen.*

The Report of the City Inspector for 1864 states the deaths at 25,645 only, being 449 more than in 1863.

It is a curious indication of the results and of the probable accuracy of these returns that 1864 shows only 2,637 marriages, against 3,272 in 1863, (certainly not indicating a very favorable tendency of metropolitan morals and wealth,) and gives 5,592 births against 6,429 in 1863.

The births subtracted from the deaths in 1864, according to these valuable and accurate Reports, show that the population of New-York in 1864 decreased 20,053 souls! It will, at this rate of killing off more than 20,000 of the people of the city annually, above the number that are born in it, hardly require more time for the City Inspector to depopulate the place than he is likely to consume in using up all the property within the city, rapidly as he is known to be advancing in this latter enterprise. The last man and the last dollar, upon the joint results of his figures and his action, will soon be left "*alone together.*"

This Report for 1864 is as silent as that for 1863, about fees received for the registry of births, deaths and marriages.

A large portion of the document is taken up by a Report of "L. H. Boole, Superintendent of Sanitary Inspection." The natural reasons that placed a brother of the Inspector in the most important position of this great department of the city government, which, though this one officer has paid out, in 1864, (as is admitted by this Report,) the enormous sum of \$812,003 85, has, doubtless, also secured that perfect *harmony of aim and co-operation* which, it would seem, nowhere else exists, between the City Inspector's Department and the residue of the city government.

The duties of this Superintendent of Sanitary Inspection are defined in the 37th and 38th sections of the city ordi-

* See Appendix C. to this Address.

nances of 1859, as given in Mr. Morton's compilation, at pages 86 and 87, as follows: "He *shall examine, audit and certify* to the City Inspector all accounts for work done under his supervision, and no requisition shall be drawn for any bills, accounts or contracts for cleaning the streets, unless certified by the Superintendent of Sanitary Inspection," * * * "who shall, *in all matters, be under the direction, control and supervision of the City Inspector,*" &c. But it should be added that, in beautiful harmony with the last clause, it is also declared, (§ 37,) that said Sanitary Superintendent "shall also have, exercise and possess all the powers and duties by law or ordinance conferred on the City Inspector," &c. *That is, one brother may expend \$882,003 85 per year—the other may approve all the vouchers—the first brother in authority has full control over the last, while at the same time the last has all the powers and duties of the first!* It may be thought, in view of such ordinances, that the well-known economy of those officers has been the only reason why their expenditures have never been thought excessive, and why the people are so well satisfied with the present arrangement!

4. Expenses.

At page 63 of Valentine's Manual for 1864, (published at city expense,) we find a list of 22 "Street Inspectors," who are appointed by the City Inspector. Their pretended duties are, (as defined by the 40th section of the city ordinances of 1859, still in force, see Morton's Health Laws, p. 88,) to report to the "Sanitary Superintendent" (an appointee of the City Inspector) "the condition of the streets and *all violations of any contract for cleaning them*, and shall each "receive for his services the sum of three dollars per day." Thus nearly \$24,000 is annually paid to this class of semi-Health Officers. When we know that the streets *were not cleaned by contract at all till 1865*, and these officers are, for the most part, ward politicians, who are believed to devote their time to their own private affairs and to politics, we find some further explanation of the existing public discontent

and official corruption and extravagance. The following extract from a Report of a Finance Committee of the Board of Aldermen is quite instructive and pertinent to the matter in hand :

For salaries of the City Inspector and of the Officers, Clerks, Messengers, and Inspectors attached to, or connected with his office, and in each of the bureaus and offices in said department, one hundred and thirty-eight thousand one hundred and sixty dollars,...	\$138,160 00
For salaries of the Resident Physician, Health Commissioner, and the Clerk of the Board, or Commissioners of Health, five thousand three hundred and forty-five dollars,	5,345 00
For advertising, office expenses, and all other expenses necessarily incurred in the enforcement of the Corporation ordinances relating to said department, not specified and provided for under other heads, twenty thousand dollars,.....	20,000 00
For compensation of the Resident Physician for his services as agent of the Board of Health, and for expenses which may be incurred by said Board beyond the amount provided for under other heads of account, five thousand dollars,.....	5,000 00
Total,.....	\$168,505 00

It is believed, also, that scarcely any of these Health Wardens are doctors, or are men of any education ; that few of them *neglect their private affairs* ; and that all are conspicuous as ward politicians, and that they are not wanting in their admiration of the City Inspector or in promptness in collecting *their salaries*. But it is said to be generally believed, that as Health Officers, they are for the most part utterly worthless and utterly disgraceful to the city.*

An examination of the New-York tax levies, as authorized by the Legislature, for a few years past, will show a gradual reduction in the sums paid to the Board of Health since the subject of a new Metropolitan Board of Health has been agitated. It is yet very suggestive of the corruption of the whole existing system, that the "Board of Health," (that is, the Mayor, Aldermen and Councilmen,)

* See affidavit of Mr. Mulligan, in the Appendix, for startling facts as to these officers. It is marked Appendix C.

have continued to draw their salaries, though it is as notorious as it is disgraceful that this Board has never had a meeting since 1863; nor have the Commissioners of Health, as a body, discharged any duties worthy of mention for years. The following are the figures as they appear in the session laws:

		Health Com re.
Laws 1859, p. 1125, salary of Board of Health,.....	\$45,000	
" 1860, p. 1016, and 1019, salary of Board of Health,.....	35,000	\$4,250
" 1861, p. 666, and 669, " " " "	35,000	4,250
" 1862, p. 860, and 861, " " " "	6,000	4,250
" 1863, p. 407, and 409, " " " "	6,000	5,345
" 1864, p. 940, and 943, " " " "	5,000	5,345

In 1862, when the salary of the members of the Board were reduced from \$35,000 to \$6,000, the danger of a change in the law was regarded as considerable; and the further reduction to \$5,000, in 1864, indicates that its friends had gained still greater strength.

The salaries of Health Wardens, Assistant Health Wardens, and sundry other pretended Health Officers in the City Inspector's Department are covered by the comprehensive term "*contingencies*," which abound in all New-York tax levies. Perhaps those officers read with pleasure such entries as these in tax levies:*

1862, p. 861, "salaries City Inspector's Department,"	\$119,228
1863, p. 409, "salaries City Inspector's Department,"	119,227
1864, p. 943, "salaries City Inspector's Department,"	138,160
1864, p. 941, "contingencies City Inspector's Department,"	15,000

The expenses of the City Inspector's and Health Department for 1865, may be found in Chapter 646 of the Laws of 1865, as follows:

"Contingencies City Inspector's Department,"	\$45,000
"Removing offal and night soil," &c.,	43,500
"Salaries City Inspector's Department,"	137,969
"Salaries Commissioners of Health,"	9,850
Total,	\$236,259

* Further details as to expenses may be found in Appendix A.

This does not embrace street cleaning, about which the City Inspector expended over \$812,000 for doing what is now much better done for \$500,000 under contract. Nor does the above appear to embrace various salaries stated in Appendix A., nor the *three offices* for which Dr. Sayre (holding them both) now draws salary, as follows :

<i>Sayre</i> , (as Health Commissioner,).....	\$1,500
<i>Sayre</i> , (as Resident Physician,).....	1,250
<i>Sayre</i> , (as Agent of Board of Health,).....	4,000
	\$6,750

It appears, therefore, that, during the very years that the greater scrutiny of the public has secured a considerable reduction in the amount avowedly paid to Health Officers who do nothing, there has been a very large *increase* secured by indirection to another class of those officers, under the head of "contingencies," and aggregate salaries for the Inspector's Department. Vigilance surely is not less the price of economy and honesty than of liberty.

Can there be any doubt as to the expediency or even *duty* of abolishing such a department ?

5. Police Board.

There is, however, a branch of the health law applicable to New-York, not yet referred to, which deserves a passing remark. In 1857, the condition of the police law and force of the city were about as deplorable and alarming as that of the health authorities at the present time ; and the Legislature, in April of that year, created a Metropolitan Police District and Board of Police Commissioners. The present code of police laws and that admirable force which is the pride, hope and security of the city, have been the happy result. Upon that Board certain health powers have been, from time to time, conferred, partly by reason of its peculiar ability to execute them, and partly by reason of the utter want of confidence in the regular health authorities of the city and their shameful neglect of their duties.

* Is it matter of surprise that the holder of these three comfortable offices, with no burthensome duties, is the champion of the opponents of all change ?

For example, the 29th section of the Police Act of the 10th of April, 1860, (Laws 1860, ch. 259,) declares it shall be the duty of the Metropolitan Police force to "guard the public health."

The exercise of that power is further declared a duty in the 29th section of the amendment to the Police Act, passed on the 25th of April, 1864; and the Police Board is further directed "to remove nuisances," and to "enforce any ordinance or resolution, &c., applicable to public health." And sections 51, 52, 53, 54 and 55 of the last-named act go much further, and authorize the Police Board to create a "Sanitary Police Company," and certain limited sanitary inspection is directed to be made by the members of this company. Police surgeons are also provided for, and a limited sphere of duty is assigned these surgeons, mainly relating to the inmates of the buildings and to the men under the charge of the Police Board.

It will be noticed these recent provisions create an additional depository of power in the city over the subject of public health, and some of the powers conferred are of the same nature, and are to be exercised in the same places and in like manner as those still possessed both by the City Inspector and by the Board of Health. Were it not for the inefficiency of the two latter, and that public distrust, which would deprive them of support if they interfered with the Board of Police, the confusion might be increased and serious collision of authority might result.

It is well known that the exercise of health powers by the Board of Police has been far more vigorous, prudent and effectual than by any other authority. And that Board has ample facilities, through its large force, for executing most of the orders of a Board of Health, and with the least confusion and expense. During the year 1864 the Police Board has cleansed more than 2,500 filthy houses, or has caused their owners to cleanse them. So much has not been done in five years by the City Inspector and Board of Health.

Many subjects that come before a Board of Health demand the consideration of men of scientific and experimental medical

skill, as well as the aid of persons of practical executive talent. This fact is understood to be fully appreciated by the members of the Police Board. Executive business talent can best devise effective practical regulations, most promptly remove nuisances, secure the purification of premises and districts, and most efficiently execute orders. But a different kind of experience and knowledge is needed to detect the hidden causes of miasmatic and contagious disease, to guard against the spread of epidemics and the exposures of contagion.

The true composition of a Board of Health in a great city would, therefore, seem to be found in a union of administrative ability and executive experience with scientific, sanitary and medical knowledge, united with skill and practical experience in the treatment of disease. The Police Board, in a high degree, embodies the former requisites, and members of the medical profession can best supply the latter.

By a union of the two elements the proposed new Metropolitan Board of Health has been formed.

To prevent a predominance of either element, and to avoid jealousy, the two elements are equally united—four doctors with the four members of the Police Board. This counterpoise requires a majority of five to three for action, and will prevent hasty orders.

The committee are strongly impressed with the importance of the police being a component part of the Board of Health. The members of the police can perform duties, without additional expense, that would otherwise involve an expense of from \$50,000 to \$100,000 annually. And without the strong executive arm of the police the Health Board would greatly want practical power to enforce its orders and the means of doing so.

6. Medical Members of Board.*

The four medical men named in the bill are alike in what

* As this and other considerable portions of this address are taken from the remarks of Mr. Eaton, before a Joint Committee of the last Legislature, printed by the "Citizens' Association," they have been reproduced here without the assent of the medical members of the Committee.

adorns personal character or distinguishes professional name and position, the foremost in the city and State, and have great and varied practical experience. They are fortunately able to devote some time towards removing those great evils of the city with which they have become so painfully familiar. And frequent visitations of the neglected poor in garrets and in cellars—long and varied practice in hospitals and in families of every class and condition—familiarity with the highest literature of their profession, and with the writings and doings of the enlightened Boards of Health which have so much honored and improved European cities, together with their well-known practical ability—would seem to qualify these men to inaugurate the great work of sanitary reform in New-York, and to afford a guaranty, that what they shall write and what they shall do will (in marked contrast with the present administration of our Health Laws and with the Reports heretofore made) secure reasonable safety to public health and be creditable to the science and learning of the State.

If a Board of Health, thus organized, can be clothed with the requisite powers, it is believed that their administration will soon give New-York and the State the blessing of wise health regulations; and that infancy, now so fearfully decimated, and all classes so needlessly exposed, both in the city and the county, will soon feel the salutary effects of a great sanitary reform.

7. Provisions of the Bill.*

The provisions of the proposed Health Bill are believed to be well adapted to existing laws, and adequate to secure the public health.

Its title expresses a leading feature of its provisions.

They are intended not only to preserve public health in and about the City of New-York, but also "to prevent the spread of disease therefrom into other parts of the State."

* See Appendix A, for a comparison of the old system with the one herein proposed.

It is well known how readily all infectious and contagious diseases are spread from the city into other parts of the State.

The leading provisions and principles of the bill are the following :

(1.) It creates a Metropolitan Sanitary District, co-extensive with the Metropolitan Police District.

(2.) It makes the four Metropolitan Police Commissioners, (for any time being,) together with the four medical gentlemen named in the bill, a Metropolitan Board of Health ; and all the members are elective for like terms, and are removable in the same manner as the members of the Board of Police, under existing laws.

(3.) As the Board of Quarantine Commissioners has principally to deal with shipping and foreign commerce, and a Board of Health is principally concerned with internal and domestic relations, it was thought best that each should be master of its appropriate sphere, and be independent of the other ; but that each Board should be authorized to co-operate with the other for the promotion of the general public health ; and such are the provisions of the bill, as follows :

(4.) The powers and duties relative to public health, now by law conferred or imposed upon any officer or board in the district, are, *exclusively*, hereafter to be exercised and performed by the new Board of Health ; and these powers are, in general, the measure of the powers of the new Board, but various additional duties are imposed upon the new Board.

(5.) And it is a noticeable feature of the bill that it contains provisions calculated to secure co-operation between all the Health Boards of the State for the dissemination of information concerning the causes of disease, and the means of their removal.

(6.) The Board is to register births, deaths and marriages, without charge, by which the large fees now collected by the City Inspector will be saved, and which, as we have seen, are now never accounted for.

(7.) The bill gives large and ample authority to the Board to require those whose duty it is, be they individuals, boards or offices, to preserve cleanliness, and to avoid doing that

which shall endanger life or health. These provisions, we feel confident, will be found adequate, if not frittered away by artful amendments proposed by those hostile to the bill. (See Appendix A.)

There are some abuses known to exist in connection with street cleaning, the full correction of which, doubtless, requires prompt legislative provision; but all such abuses cannot be corrected by one law, or at one time, and these abuses must be left to their more appropriate remedy.

There are, however, proper provisions in the bill to prevent a duplication of officers and expenses in connection with the execution of Health Laws, and for reporting duties performed under such laws. (See section 26.)

(8.) The bill provides for the full co-operation of the Police Board and its officers with the Health Board and its officers, in promoting public health; and provides, also, that the Police Board, through its ample means and force, shall execute the orders of the Board of Health. This secures the double result of an economical organization and limited force in the Health Board, and will also prevent collisions between the two Boards in the exercise of their respective powers.

(9.) The bill contains stringent and effective provisions for ascertaining, with promptness, any improper diversion of the funds of the Board, and the treasurer is to give ample security.

(10.) The organization of the Board is very simple and economical. There may be a sanitary superintendent, with a salary not exceeding \$5,000; sanitary inspectors, not exceeding fifteen, with a salary of \$1,500 each, and a secretary, with a salary not exceeding \$3,500; and the services of a sanitary engineer may be employed annually, at a cost not exceeding \$5,000.

Ten of these inspectors are to be medical men of several years' experience in the city, and the other persons specially qualified, and it is thought they will be able to make a pretty thorough sanitary inspection of the city. In London there are forty-eight such inspectors, with numerous assistants.

It is a further important provision, that the Board and these officers *shall perform all the duties of the present health authorities.*

(11.) All the other expenses of the Board are *properly limited*, and are placed on the basis of strict economy. The only discretionary power of large expenditure is in cases of pestilence, and in such case no exact limit can be fixed.

(12.) And it may further be remarked, that the bill provides no opportunities for mischief or extravagance. No money can be squandered; no political patronage wielded; no rights invaded; under it men of a high order of experience and ability, with great disinterestedness, are willing, uncompensated, to serve the public in the highest walks of human effort. By this law no valuable organizations are struck down, and only useless and incompetent officers and impracticable legal provisions are superseded.

8. Moral Considerations.

It is not a part of our purpose to comment at length upon the interesting moral considerations presented by this subject, or to narrate at length the details of disease and death in New-York, as compared with other cities, which have caused so much alarm and awakened so much interest. But they ought not to be wholly omitted here.

Every Christian will admit it to be a solemn duty of his religion to extend all possible relief to the exposed and the diseased among the humble and the destitute. No intelligent mind will deny that there is a solemn duty resting upon legislators to afford every available legislative aid for the protection and improvement of the health of the people. Disease, filth and crime are always closely associated. It will justly be every where regarded as a disgrace to the State of New-York if her health laws and their administration are not marked by the wisdom, disinterestedness and benevolence which are exhibited, in these respects, in the other great cities and states of the world. And there is too much occasion to fear that this disgrace has been, to a large extent.

justly incurred ; for such brief means of illustration as I have at hand, show that New-York is as far behind the great cities of Europe and America in her precautions against disease as she is before them in the appalling volume and alarming consequences of filth, disease and death, in her midst.

LONDON.—Reference has been made to the organization of a Board of Health in London, in 1848. Under that Board there is a "Sanitary" Police ; and at its head is one of the most distinguished medical men of the United Kingdom ; and forty-eight other medical men are subordinate to him in the employment of the Board. The reports of this Board are valuable documents, and embody the results of the best sanitary and medical skill and experience of England. They explain the best results of human effort to control the causes dangerous to human life and health. This Board has control over all the varied nuisances and employments dangerous to health.

When the law creating this Board was proposed, politicians and all those who lived on the spoils of the old system, made the most determined opposition, and, just as has been the case in New-York, they neither wanted funds for bribes, a venal press to defend their opposition, nor a noisy, ignorant rabble to get up a public clamor. A report before us says, "they held public meetings and loudly declared London, for "health, cleanliness, &c., &c., unsurpassed." This is very much the language of Inspector Boole's Reports, to which reference has been made.

As in New-York, so in London, the friends of reform suffered repeated defeat, but in the end there was a complete and blessed triumph. Of this great triumph of its happy results the London "*Times*" says :

"It is scarcely credible, but yet, the incontestible figures quoted by Dr. Letheby leave it beyond all doubt, that the average of health throughout the City of London is higher than the average of health throughout all England, taking town and country together. The mortality in all England is at the rate of 22.8 in every 1,000 of the

population; in the City of London it is at the rate of 22.3 for every 1,000 inhabitants. Gradually the mortality has decreased, until the yearly death-roll of 3,763 has been reduced to 2,904, within the period of nine years during which the city has been under the rule of the Sanitary Commission. The deaths this year—22.3 per 1,000, or one in every forty-five of the inhabitants—are nine per cent. below the general average, and represent a saving of 286 lives. And, secondly, this gratifying result has been obtained in the face of obstacles which seemed to be almost insurmountable.”

LIVERPOOL.—This city affords another illustration of the advantages of an enlightened and efficient Board of Health.

When, fifteen years ago, the Board was formed, the death-rate was one in thirty of its inhabitants. A gradual improvement has since taken place, and, in 1860, they had, by gradual improvement, reached such a point of healthiness that there was only one death to forty-nine persons. In 1860 *eight* persons died in Liverpool of small-pox, while the same year New-York lost by that disease *thirty* in the week ending June 29th. Every one is painfully aware of the alarming frequency of small-pox both in New-York and in other parts of the State of New-York every year. Liverpool is now one of the healthiest cities of the world.

PARIS.—This well-governed city has an admirable Board of Health. “The Council of Public Hygiene and Health,” &c., consists of twenty-nine persons, of whom *fifteen* are physicians, six pharmacutists, and the residue are engineers, architects and other persons peculiarly qualified. Besides, there are local Boards in the city. The *police* enforce the regulations of the Board of Health. The death-rate of Paris is reported to be about the same as that of London and Liverpool, which are far lower than that of New-York. The London and Paris Boards of Health appear to have jurisdiction of a considerable section around those cities.

PHILADELPHIA.—This city has, for several years, had a far more competent Board of Health, with a vastly superior ad-

ministration, than any thing of the kind in the City of New-York. Great sanitary reforms have been effected by such means, and the death-rate has been so reduced, that Philadelphia is said to be the healthiest city of the world of its size.

No man can look over the Health Laws and rules applicable to Philadelphia and the Reports of its Board of Health, now before us, and compare them with the laws of New-York on the same subject and with the pretended Health Reports of New-York officers, without a feeling of shame and humiliation.

The Philadelphia Report for 1863 shows the Board of Health to be composed of eleven persons, of whom four are physicians. There are, in addition, four executive officers, of whom three, if not four, are physicians. The Report contains 56 pages of interesting and instructive statistics, and important and valuable suggestions; all of which show, that the Board is vigilant and industrious in the discharge of its duties. Diseases and deaths are classed, and the causes of prevailing diseases are thoroughly examined; and births, deaths and marriages are reported. The Report is, in every respect, unlike a New-York Report.

We cannot enter further into details. The document must be compared with a New-York Report to appreciate the difference, and to better comprehend why New-York has a so much higher death-rate than Philadelphia.

By way of illustration, however, a single detailed comparison of the Philadelphia Health Report may be made with the before-mentioned gilt-edged, morocco-bound, boasting New-York Health Report of the same year; bearing in mind that the rates of population in the two cities is about as nine to six:

NEW-YORK REPORT, 1863.		PHILADELPHIA REPORT, 1863.	
Reported Deaths,.....	25,196	Reported Deaths,.....	15,788
“ Marriages,.....	3,272	“ Marriages,.....	5,475
“ Births,.....	6,426	“ Births,.....	15,293

Does any one believe there were, in 1863, 2,203 more mar-

riages and 8,867 more births in Philadelphia than in New-York? or is the explanation of these Reports to be found in the fact, that a reliable and efficient Board of Health has charge of these matters in Philadelphia, while neglect and imbecility characterize official administration in New-York.

From the fact that so many more marriages and births are reported in Philadelphia, it may be concluded that the reports of deaths are more nearly complete in Philadelphia than in New-York; and yet, (omitting small fractions,) *the startling fact is disclosed that in Philadelphia, in 1863, only one person out of every forty-three died, while there died in the same year in New-York one person out of every thirty-five.*

This fearful excess of deaths in New-York over Philadelphia is, therefore, either to be attributed to more destructive natural causes arising from soil, climate and exposure in the former city, or to the defective and badly executed Health Laws. To which of these causes do the citizens and Legislature of New-York feel disposed to have this fearful record of disease and death attributed? Can it be that efficient action will be longer delayed at a time when, by reason of a threatening and fatal disease, the passage of streets may soon be dangerous, and from fear, pupils, in large numbers, may be leaving the public schools?

The Report of the City Inspector of the City of New-York for 1861, (not, however, the present incumbent of that office,) furnishes an official answer to the question as follows:

“The causes of this excessive mortality must be sought for in this city, and are readily traceable to the wretched habitations in which parents and children are forced to take up their abode: in the contracted alleys, the underground, murky and pestilential cellars, the tenement house, with its hundreds of occupants, where each cook, eat and sleep in a single room, without light or ventilation, surrounded with filth, an atmosphere foul, fetid and deadly, with none to console with or advise them, or to apply to for relief when disease invades them.” He asks, with great pertinency: “How is this state of things, which marks with shame the great City of New-York, to be remedied?” Let those who believe in our present system mark well

his reply. He says: "The power of remedy does not rest in me, nor in the department over which I have the honor to preside."

In another report he adds, what well illustrates his views: "There has been no improvement in the cleaning of the streets, but on the contrary, the city, at this moment, is in a more filthy condition than has heretofore been the case at this season of the year. As an evidence of the effect of this state of things upon the health of the community, I would state that the mortality of the city has been largely on the increase. Were this increase of mortality the result of an existing pestilence or epidemic among us, the public mind would become justly alarmed as to the future; but although no actual pestilence, as such, exists, it is by no means certain that we are not preparing the way for some fatal scourge by the no-longer-to-be-endured filthy condition of our city."

A late Sanitary Report adds: "It is doubtful if there is a city in the civilized world that contains within its jurisdiction as many sources of that class of diseases known as preventable, or capable of being removed and destroyed, as New-York. They are thickly strewn in every street, in every lane, and even in every dwelling and shop. Many of these sources of public and private pestilence are brought to light in a late Report of Captain Lord, of the Sanitary Company of the Police:

"The total number of tenement houses is given at 12,374, with a population of 401,376, of whom 22,095 live in cellars—a subterraneous population large enough for a small city in itself. A little more than two-thirds of the houses, namely, 8,456, with a population of 253,901, are provided with good means of escape in case of fire, while 3,801 houses, inhabited by 125,380 persons, are deficient in this respect. The ventilation of 4,221 houses, containing 141,168 persons, is bad."

Of slaughter-houses we have the following exhibit: The number of slaughter houses in the city is 187, of which 40 are reported as in bad condition. The number of beeves slaughtered per week is given as 2,555; of small stock, 9,362; of swine, 13,205. Total per week, 25,222. Grand total per year, 1,311,544. Akin to slaughter-houses are those sinks of putridity, fat boiling establishments, of which there are no less than 80 in New-York. These establishments are frequently indicted as nuisances, and are generally located in densely populated districts; but against neither can our health officials be induced to proceed.

PROVIDENCE.—This city has had for some years an efficient Health organization, and has become one of the most healthy cities of the world. Its chief Health Officer is Dr. Snow, who is a distinguished physician; and some statistics furnished by one of his recent reports may be regarded as impartial and reliable, (even though they do not sustain the theories of City Inspector Boole, nor state any thing very flattering for New-York.) He gives the following table of the ratio of deaths to population :

	Estimated Population.	Deaths, 1863.	Of Population, one in.
New-York,.....	900,000	25,196	35.7
Philadelphia,.....	620,000	14,220	43.6
Boston,.....	194,000	4,698	41.2
Newark, N. J.,.....	85,000	1,952	43.5
Providence,.....	55,000	1,214	45.3
Hartford,.....	32,000	583	54.8

These appalling facts are further sustained by a Report made by twenty leading physicians of the City of New-York during the past year. They use the following language :

“ Previous to establishing a good sanitary government, the annual rate of mortality was :

In London,.....	1 in 20
In Liverpool,.....	1 in 28
In Philadelphia,.....	1 in 39
In New-York, at present,.....	1 in 35+
do. average of last ten years,.....	1 in 32½

“ The rate of mortality in the same cities, with the present system of sanitary government, has been—

In London,.....	1 in 45
In Liverpool,.....	1 in 41
In Philadelphia,.....	1 in 44 to 1 in 57

“ While in the City of New-York the death-rate has increased from 1 in 46½ (in the year 1810) to 1 in 35+ at the present time. By means of suitable sanitary regulations, and a faithful and competent administration of such laws, the rate of mortality in this city ought to be very greatly reduced. The experience of other great cities, and the teachings of sanitary science, warrant the opinion that the present rate of mortality may be reduced fully THIRTY PER CENT. Such a re-

duction would save from 7,000 to 10,000 lives in this city during the present year.

"It is a medical and statistical fact, that for every death in a large community, there are at least *twenty-eight* cases of sickness. This would give, in the population of our city, *upwards of two hundred thousand cases of preventable and needless sickness every year!*"

With such a fearful record staring us in the face, is it possible that the Legislature should longer delay any practical legislative remedy. The growth, good name and prosperity of a great metropolitan city are in peril; disease and death, the result of neglect, filth and inefficiency, threaten us on every hand. In a city of near a million of people—the great centre of wealth, refinement, elegance, medical skill, benevolence and Christian effort of a great nation—garrets and cellars are filled with contagion and death—lanes and alleys are poisoned with nauseous and dangerous emanations—sewers and open places are filled with germs of endemic disease—the odors of decaying animals and miasmatic filth spread along the avenues where liveried servants drive the coaches of the rich, and enter the churches where the humble and the proud kneel at the altar. No parent or child can now visit the city from the interior of the State without awakening anxious solicitude for a safe return. Every one who enters a stage or car is anxious lest his neighbor be a source of contagion. *Years have elapsed since there has been any meeting of a Board of Health*; and measures calculated to protect life and health are abandoned at a period of the greatest danger; the Mayor refuses to call any meeting of the health authorities, because he deems them dishonest or incompetent.

We cannot believe another session of the Legislature will be long in session before passing a law that will remedy these abuses. Such a result would be seriously discouraging; yet it would still remain the duty of the philanthropist to labor in behalf of imperilled life and health—it would still be the interest of the merchant and the banker to aid in removing that disgrace and danger which makes the traveller approach New-York with dread—there would still be found men who would continue their appeal for an enactment to secure in New-

York that sanitary reform which the meanest instincts of fear, and the lowest forms of State pride, as well as the solemn invocations of the pulpit, and humble prayers of mothers in cellars and garrets, at the bedside of children sinking needlessly to untimely graves—will alike demand.

9. Specious Objections.

But it may be said that mere legislative changes cannot produce the needed reform. That what is demanded is better officers, more disinterested public spirit in the city, and that exercise and guardianship of the elective franchise which would secure a fuller execution of the laws. It cannot be denied that if such virtues and vigilance more generally prevailed, great reforms would follow. But it sometimes happens that laws are made on the suggestions of bad men, and that they are, without the cognizance of the Legislature, framed so as to facilitate dishonest purposes. We think it could be proved that such has been the fact in regard to some of the enactments applicable to the City of New-York.

Until after 1857, the better class of men in the city were not much aroused to the necessity of watching and combining to counteract the deep-laid schemes of knaves and professed politicians. Since that date the conservative and honest influences have, to some extent, combined against those two mischievous classes, and have succeeded in achieving a great triumph in the establishment of a well-disciplined Metropolitan Police. They have also thoroughly aroused the public mind to the necessity of reform in other quarters. The contest for a Metropolitan Health Law has been waged during the same period, and though its friends have sustained repeated defeats, they are, this year, much stronger than ever before.

They are not, however, unmindful that money which (it is believed) defeated them in 1861, and which, aided by all the arts of intrigue, prevented a final vote in the Senate, in 1862, and defeated the bill in 1865, may be used against them in 1866. There are the same interested combinations—the

same officers who draw salaries without performing duties—the same specious arguments, founded on alleged invasions of municipal rights—the same pensioned scribblers who silence the disinterested utterance of portions of the public press—the same owners of city nuisances, who fear their noxious occupations might not be tolerated—to contend with now, who have, every former year, combined against the advocates of an enlightened Health Law.

But the friends of the bill are confident that, if their arguments are not fairly answered, no unworthy influence can, at this time, prevail.

The bill does not invade any municipal rights. It only aims to sustain the honor and promote the best interests of New-York and Brooklyn—to lift into places of power and high responsibility the worthiest citizens of these great cities. Disease, contagion, pestilence, are not bounded by city or county lines—cannot be circumscribed within constitutional limits or political divisions. They travel along our rail-roads and our rivers—they fly rapidly with the winds, over the hills and along the valleys—they are borne with the parcels from the merchant, and even in the sealed missives of friendship, to every family fireside in every portion of the State. And to assert, for the City of New-York, the right to allow its streets and hotels, daily and nightly thronged with the precious lives of every town and village, to become poisoned with fatal exhalations and pregnant with disease and death, is to insult the general intelligence of the State, and to maintain that life and health are something less sacred than a political dogma, and ought to yield to the claims of a pretended municipal franchise.

Is it longer to be tolerated, that while other great cities send forth instructive and learned reports, written by able physicians, full of valuable information, and disclosing wise measures for the protection of life and health—reports creditable to science and humanity, and every where read and pondered—the health authority of New-York shall remain unexercised, or be exerted and illustrated only in acts and reports that are a stain upon its honor, a scandal to its science and a disgrace to its literature?

What is demanded is, that there should be a commission, composed of educated, independent and practical men, deriving their power from the State, and independent of popular suffrage in the city—men who will have the courage, power and judgment requisite to deal with all those causes that now peril life and health.

All the Health Officers of the city now derive their authority either directly from popular suffrage or from the Mayor and Board of Aldermen. The Mayor is elected for two years, and is sure to be a candidate for re-election. The City Inspector and Resident Physician are nominated by the Mayor and confirmed by the Aldermen. There are seventeen Aldermanic Districts in the city, and the Aldermen are elected for a term of two years.

There are six Councilmen, elected annually, from each Senatorial District, for a term of one year.

The men who keep groggeries, tippling shops, fat-boiling establishments and butcheries—who own dance-halls and houses of ill-fame—who allow cellars and places to be filled with stagnant waters—who neglect drainage and purifications—who build ill-ventilated tenement houses—who keep filthy and offensive stables—all those who, in a thousand other ways, contribute to make New-York the most unhealthy of the large cities inhabited by a civilized and Christian people—are themselves, with all their friends and dependents, *voters*—the constituents of these Aldermen and Councilmen—are, in all probability, the most active politicians of their respective wards, whose support or opposition makes or unmakes some city officer. The Police Justices are, in a similar manner, dependent on the same class of men; and convictions before them, for nuisances, are known to be of rare occurrence. Is it supposed that the officers whom such men have elected will, when in office, interfere with the doings of their most active constituents—proceed against the very premises as being a nuisance, or dangerous to health or morality, in which, perhaps, the political caucus was held that secured their nomination?

● No one who knows any thing of New-York municipal ad-

ministration, will expect any thing of the kind. These officers, if public suspicion be correct, are, some of them at least, much more likely to be the champions and the apologists of the offences and offenders against public health in their respective districts; and those who should be punished, are quite likely to be on the long sinecure pay-rolls of the City Inspector, side by side with the hireling scribblers for a portion of the city press, who receive so much public money for palliating official delinquencies, that they are enabled to serve their literary employers at rates most agreeably moderate. It may be that that class of writers may sometimes be kind enough even to report the doings of the Legislature on the like moderate terms, and, forsooth, include therewith elaborate and pungent abuse of all friends of reform, without additional charge. It is certainly convenient to receive a salary from the City Inspector, and to draw one's pay as a "reliable" correspondent, but it might not be pleasant to have the facts made public, or *creditable* to any party concerned. For such abuses and sources of corruption, there is no adequate remedy but a law similar to the one now proposed.

Defeat last Winter.

The opposition made to the law last winter is instructive, in reference to what may be anticipated this winter. A person having no experience in the conduct of measures of legislative reform would naturally feel confident that no dangerous opposition could be made to so beneficent a measure as we propose. An honest man can hardly imagine that any one would seriously resist so salutary a reform. Yet it is a great error and highly dangerous to expect such a result. Those who live upon existing abuses or have large amounts of public funds to disburse with little responsibility, are always strongly intrenched, and can always command considerable means of resistance.

Every new member who goes to Albany, thinking he can readily procure the reform of all existing abuses during his short term, (and the best men who go there are too likely to

think so.) return having accomplished little, quite likely much discouraged, and *are sure to advise their successors not to attack too many intrenchments at the same time, but to imitate those wise generals who concentrate all their forces on one vital point and press the attack there till it succeeds.* To attack all points at the same time is to fail somewhere, if not every where. Resistance is always far more desperate than is anticipated. The pendency of three important measures of reform at the same time last winter—the Registry bill—the paid Fire Department bill, and the Health bill—enabled fact, intrigue and money to defeat the latter. If the friends of reform allow their strength to be divided this winter between too many measures, the one most important and most dreaded by their opponents may be again defeated.

When the controversy began in the Senate last winter, it appeared to be between all the better and more intelligent citizens of New-York, (represented in the persons of large delegations and by petitions signed by many thousands of people.) on one side, and the City Inspector and the Resident Physician on the other. Of course, behind these officials were all those who lived on their disbursements, and all who were opposed to any reform which threatened them or their party. These officials, at the opening of the controversy, maintained that no material reform was needed; that New-York was among the most healthy cities of the world!

The intelligent and able committee of the Senate (of which Senator Andrews was the efficient chairman) did not allow themselves to be deceived by such absurd pretences, and the bill was speedily reported to the Senate; not, however, until Senator Fields, its chief opponent in that body, and the *senatorial champion* of existing corruptions in New-York, (now, fortunately for the city, left at home,) had, by his violent and rowdyish conduct on the floor of the Senate, while in a state nearly bordering on intoxication, broken up a session of the committee. The bill promptly passed the Senate, and the opposition was transferred to the Assembly. In that body, the committee to whom it was referred, and of which Dr. Richardson was chairman, manifested no earnestness in

the cause of reform, and the opponents of the bill readily found means to delay the bill being reported to the house till very late in the session. This delay was known to be perilous to the measure. No one appeared to oppose the bill, except the officials we have referred to, (City Inspector Boole and Dr. Sayre,) and their subordinates. Yet, for a long time no progress could be made before the committee.

But the argument in behalf of the existing laws was found to be so weak and the evidence of existing abuses and defects so irresistible, that the plan of opposition was abandoned and a new one adopted at a very late period of the session. The new plan was to admit that the existing laws were utterly defective, and that new legislation was needed. It was no longer seriously denied that the death-rate of New-York was needlessly high, that its tenement houses, garrets and cellars were a disgrace to Christian civilization, and that great reforms were quite possible. The City Inspector apparently retired from the contest, and the opposition centered in Dr. Sayre, the Resident Physician and Agent of the Board of Health. He then proclaimed, on the new line of defence, that the bill that had passed the Senate did not give sufficient power, (a charge which, if true, would not apply to the bill prepared by this committee,) and that no health bill would succeed that did not confer all power on some existing municipal officials; and he thereupon produced before the committee a crude, impracticable draft of a bill, (got up since the defeat in the Senate, and with which he stated, what was quite apparent, that *no lawyer* had had any connection,) which, he said, if adopted, would cure all the ills that afflicted life and health in New-York.

After long and fatal delay, the committee reported both bills to the house, *and, as we are informed, with no recommendation of either, radically different as they were in every essential particular!*

The great measure of reform was then seen to be in the most imminent peril. It was perfectly apparent there was no intention of passing Sayre's bill, and that it was only to be used to defeat the people's bill and all reform. So the result

proved. The disgraceful history of the final struggle in the house is well known throughout the State, and will be long remembered. It is fortunate that nearly every one whose character has fallen in public estimation, by reason of the part taken in these transactions, has been left at home this winter. For quite other reasons, the cause has lost the valuable aid of Col. Van Buren; but the efficient services of Mr. Stewart may yet be counted on in the Assembly, and there are new members, in both bodies, from this city and Brooklyn who, it is believed, will give the bill a hearty support. Still, now, as in all cases of city reform in New-York and Brooklyn, we must greatly rely on the aid of the country members.

But the aforesaid notorious "Sayre bill" also remains to us; again, if possible, to be the apology for defeating all reform; and we are assured that those whose offices and corruptions it would, if passed, do so much to prolong, have recently caused it to be printed and circulated broad-cast over the State, to forestall public opinion, and create a division among the friends of reform.

Only a single copy, and that in manuscript, could be found last winter, and the friends of the people's bill could only get access to that when before the committee of the house.

We now fortunately have a printed copy before us, and its crude and dangerous provisions provoke a few observations.

The Sayre Bill.

While reading our comments, we ask the reader to bear in mind the leading facts we have stated, as to the city officials who compose the Board created by this bill.

(1.) The Board is composed of the President of the Board of Aldermen, the President of the Councilmen, the Mayor, the Resident Physician, the Health Commissioner, the City Inspector, the Health Officer, and the President of the Board of Police.

The Mayor being elected every two years by one or the other political party, it is obvious he would only add a changing political element to the Board.

The City Inspector, Resident Physician and Health Commissioner are nominated by the Mayor and elected by the Aldermen, and hence are likely to be political officers, and no more permanent than the majorities of the Aldermen.

The Presidents of the two Boards are the mere reflections of transient rings or personal influence in those bodies. They will not peril a re-election by interfering with a stupendous nuisance conducted by men whose employer gave them the decisive one hundred votes at the last election, and may give or refuse them the indispensable one hundred and fifty at the next.

In a body thus constituted, it is obvious the President of the Board of Police would have little influence.

The majority of the Board is to be made by the Board of Aldermen, the source of a large portion of the bad official management that now affects the city, and a body which, being part of the present Board of Health, the Mayor has not, as we have seen, dared call together for three years, for fear it would add something to the calamities of sickness, filth and pestilence!

(2.) The second section has the usual characteristic of all legislation coming from the same source; that of giving unlimited power of spending money, and appointing an unlimited number of bad, ignorant, petty officers, who become political nuisances and party tools. "May incur such expenses as may be necessary," (and the Board is the sole judge,) "may appoint such number of clerks and other officers as may be necessary, &c.;" this is the language of the section, and of course means not, as now, only 44 "grog-shop-keepers," "junk dealers" and "porter-house rowdies," as wardens, &c., but 444 of that stripe, "as may be necessary," for party, pelf and profit.

What would further add to the affliction of thus giving a new lease of life to those old abuses, is the fact that the third section of this bill *enables the Board to fix the salaries and duties of all these officers and agents!*

(3.) The third section divides the city into numerous sanitary districts—*more than twenty*—so that we should be bur-

dened with more than twenty *sub-boards* of sanitary afflictions, all of the kind referred to. To add yet others to all these terrors, the Board (§ 3) "may also appoint a consulting council of physicians," and they "may be invested *with such power*, institute such inquiry and investigation, &c., as shall be deemed advisable and necessary," &c.

There is no limit to number, salary, power or duration. The physicians of New-York, not in large practice, ought, certainly, to *sign petitions* for such a bill as this. If there cannot be a long list of signatures procured to petitions for such a bill from the young and patientless physicians of New-York, their refusal will imply far more disinterestedness and honor on their part than this provision of the bill would seem to suggest.

(4.) The Mayor is then given power over the inspection of vessels. This ought to satisfy him on the score of compensation and to reconcile him to the bill. But it seems to seriously impair the power of the Board, and to invade the province of the Health Officer and Quarantine Commissioners.

The fifth section clearly shows that the standing shame and nuisance of Health Wardens are not to be removed, but are to be continued under other names.

(5.) The *whole machinery* of the City Inspector's Department is retained and made perpetual by § 9, and thereby *the whole business of street cleaning taken from that officer last winter is to be restored!* Nor is that all: as if the people of New-York had not been enough afflicted by the "bureaus" in that "Department," *new bureaus* may be created therein; "and the duties of these bureaus may be defined and designated by the Board herein created."

It is almost impossible to believe that such a proposition can be in this bill, even though it was admitted to be proposed only for the purpose of creating a diversion, and defeating all reform whatever. It is necessary to the success of even such a trick that it should pay a decent respect to the fears and the indignation of the people, and not insult the memory of their fresh calamities.

(6.) But we do not regard it as necessary to follow this

favorite scheme of the opposition, section by section. It is full of crude, impracticable suggestions. It is not worse than the existing law, only because that is impossible. The tenth and eleventh sections give vast additional, dangerous and undefined powers to the Board and to the City Inspector. And it fully accounts for the readiness of that officer to yield so much of his present vast patronage and come into this Board.

The thirteenth section gives powers equally dangerous and undefined to the Mayor.

The bill acts on the old theory, so fraught with abuse and inefficiency, *of giving large powers to individual members of the Board quite inconsistent with the general powers given the Board itself*; a division sure to lead again to conflict and general inefficiency. It looks as if this heterogeneous combination of officials could not be otherwise reconciled.

It would be a fatal objection to the whole scheme (supposing officers elected by popular vote in the city could or would attack any city nuisance.) that *the powers of the City Inspector and Resident Physician, relative to health, are nowhere taken away*; and we have shown that the powers of the former, alone, are actually inconsistent with any adequate power or efficiency in the Board, except on the conditions which that official may see fit to impose.

It should be added, that the Sayre Bill relates to the City of New-York only, and hence is, for that reason, utterly inadequate to the public wants.

Such is the "Sayre Bill."

We shall, doubtless, be thought to have given undue space to it. Yet it was the bill under the shelter of which all reform was defeated last winter, and it is to be brought forward again this winter for the same purpose. Signatures to petitions will be solicited in its behalf; a cry will be raised that its authors are the champions of municipal franchises; a portion of the party press will, as was the fact last winter, sound its praises in the public ear, and denounce as crazy, over-zealous reformers, all who oppose it.

We have, therefore, endeavored to lay the whole matter before you, and if defeat again follows your and our efforts, we

shall at least have the consolation of having done our duty as far as we were able.

Let no one consider the task in hand an easy one. Let every one use his influence with his friends in and out of the Legislature, in behalf of what he regards the public interest as connected with this vital subject. If the bill shall be delayed in the Legislature, the feeling and the demand of New-York and Brooklyn should be plainly and earnestly expressed through large and influential delegations, and by petitions signed by thousands of their citizens. It is to be hoped, also, that the public press, *as well in the country as in the city*, will cause the public wishes to be fully known on this subject. There will never be a better chance or a more pressing need of complete and speedy success. It is not the cause of the poor and afflicted alone, but of all whom pestilence may soon strike down and increasing taxes now oppress.

There is great need of a combined influence to prevent the measure being made a political machine—at the last moment. It would be a standing disgrace if some mere *political doctors* should get control of this Board, or the Police Board should be left out to make room for politicians.* There are plenty of men who will perform none of the labor and make none of the sacrifices indispensable to secure this great reform, who will yet be prompt with their advice and tireless in their assiduity, where there is a prospect of controlling a little patronage or advancing a partisan. The whole people of New-York and Brooklyn are deeply and solemnly interested to prevent such a calamity, and to secure upon this Board some of their most scientific, practical, energetic, noble spirited physicans, whose lives have illustrated the humanity and disinterestedness of their motives, and whose daily practice has made them familiar with filth and disease in our midst in all their thousand fatal forms.

What that class of men would do, if clothed with legal

* All that relates to doctors has been inserted without consulting, and without the assent of, the medical members of the Committee.

authority, is well illustrated in the production, by voluntary and uncompensated labor, of the remarkable work entitled "The Sanitary Condition of New-York."

This single great work has done more to secure an improved sanitary condition in the city, and is more creditable to the public spirit and humane science of the country, than every thing together that has proceeded from the City Health officials, (this bill proposes to supersede,) since they came into office.

We call upon all who have this reform at heart to watch the bill at every stage, and *make it sure* that the Board is worthy the subject. We feel sure that, so far as the Governor is concerned, he will, if not inadvertently misled by others, heartily contribute to such a result. But he cannot know so well as you of whom the Board should consist, and he will gladly listen to your suggestions if the appointment of commissioners shall devolve on him. There is great danger that men who want office will be active and on hand, while those who only consult the general good will not be aware of their fatal solicitations and perseverance till the public interest is fatally sacrificed. It is of vast importance to the health, and to all the highest interests of the people of New-York and Brooklyn who compose this Board.

We have done our best to frame a suitable law, and to enlist in its behalf by every honorable means the support and influence requisite to secure its passage; and that result would, to us, be a most adequate reward for our labor and trouble.

At all events, pressing on in the noble work against every obstacle, and after every defeat, the friends of this great reform, relying on the justice of their course, sustained by a high sense of duty, which is its own reward, are firmly resolved to persevere until final triumph shall crown their efforts.

In behalf of the neglected dying poor—by all the priceless value of life and health, now doubly imperilled by diseased soldiers from the army, and by a fatal contagion now threatening us from abroad—in honorable emulation of the great

work of sanitary reform so much advanced in other American and in European cities—in harmony with that regenerating public sentiment which is purifying the national health and life—in obedience to all the holy promptings of virtue and religion—by one effective, worthy effort to rebuke official imbecility and corruption and inaugurate benevolent, practical reform in the great cities of New-York and Brooklyn—let this Legislature honor itself and bless the whole people of the State by enacting this great sanitary and all-pervading measure of reform. Future generations will wonder at any opposition it may encounter, while they rejoice in the priceless benefaction it will confer.

Very respectfully,

Your obedient servants,

D. B. EATON,	New-York.
W. E. DODGE, Jr.,	"
C. R. AGNEW, M. D.,	"
THEODORE ROOSEVELT,	"
GEORGE BLISS, Jr.,	"
CHARLES L. BRACE,	"
JOHN A. WEEKS,	"
GEORGE F. NOYES,	"
JAMES R. WOOD, M. D.,	"
WILLARD PARKER, M. D.,	"
A. A. LOW,	Brooklyn.
JOHN A. CROSS,	"
CHARLES L. BENEDICT,	"
THEODORE L. MASON, M. D.,	"
LUCIEN BIRDSEYE,	"
EDWARD A. LAMBERT,	"

APPENDIX A.

The New Bill.

(1.) The eight Commissioners act as a single Board, of which five are a quorum, and there is no occasion to consult any other Board or officer.

(2.) The Secretary will keep the records, and conduct the correspondence of the Board.

(3.) The "Sanitary Superintendent" is the chief executive officer of the Board, and has a general superintendence, as the Board by its by-laws shall direct.

(4.) There are fifteen "Sanitary Inspectors." They will daily examine into causes endangering health, under the charge of the superintendent.

(5.) Any engineer the Board may for any occasion employ, in connection with sewerage or otherwise, will attend the work assigned him, as the Board may direct.

(6.) The police force *will execute all orders of the Board*, except such as the inspectors or superintendent may personally execute.

That the expense is reduced to the lowest possible point, may be shown as follows :

(1.) Secretary, not to exceed . . .	\$3,500
(2.) The Sanitary Superintendent, . .	5,000
(3.) Services of Sanitary Engineer, . .	5,000
(4.) Ten Inspectors, \$1,500 each, . .	15,000
(5.) Clerk hire, say, . . .	10,000
(6.) Rent of offices, say, . . .	2,500
(7.) Incidentals, Stationery, &c., &c., .	5,000
(8.) Pay of Police force, (not increased,)	

Total,	\$46,000
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(7.) The bill every where follows the analogy of the police law, and contains no experimental legislation.

(8.) The great difficulty in New-York was, not to any great extent, *the want of power over the subject of health*, but grew out of two leading facts :

(1.) The Health Officers are inefficient, and have not the proper qualifications, *and the mode of their election is such that better ones cannot be secured without a change in the laws.*

(2.) The existing laws contain conflicting provisions, *and the power over health is deposited in so many offices and Boards, that co-operation or harmony in their execution has been found unattainable.*

Hence a concentration of power in proper hands rather than additional power is the remedy sought. But valuable *additional powers* over the subject of small-pox and other pestilential diseases have been added to the bill since it was first printed. They were taken from law long in force in Brooklyn.

(9.) Contrast this organization with the existing organization and expenditure.

The present organization is as follows :

- | | | |
|--|---|---|
| (1.) Any ten of | $\left\{ \begin{array}{l} 17 \text{ Aldermen and} \\ 24 \text{ Councilmen} \\ \text{and the Mayor,} \end{array} \right\}$ | make a
"Board of Health."* |
| (2.) The President of the Aldermen,
The President of the Councilmen,
The Health Officer,
The Resident Physician,
The City Inspector, | $\left\{ \begin{array}{l} \\ \\ \\ \\ \end{array} \right\}$ | constitute a second
Board, called "The
Commissioners of
Health." |

(4.) The City Inspector.—This officer claims and exercises at this time nearly all the authority over health, (now practically known in the city,) under Tit. 3, Chap. 275, of the Laws of 1850.

(5.) The Health Officer.

* The Corporation Counsel has decided, and it is generally believed, so far as there is any harmony of opinion on the subject, that each of the two boards has the same authority, and as there are 41 Councilmen and Aldermen, of which *any ten*, with the Mayor, make a Board of Health, it will be seen *that those two bodies furnish material for four Boards of Health in addition to that made up of the Commissioners of Health.*

(6.) The Resident Physician, } appointed by the Mayor, with
 (7.) The Health Commissioner, } the consent of the Aldermen.
 (8.) The Agent of the Board of Health, appointed by the Board of Health. *The same person* is said to be at this time both Resident Physician and Agent of the Board of Health, and to draw salary in both capacities.

(9.) The Health Wardens, *twenty-two* } They are appointed by
 in number. } the City Inspector with
 (10.) The Assistant Health Wardens, } the consent of the Al-
twenty-two in number. (a) } dermen.

(11.) The "Superintendent of Sanitary Inspection," a subordinate of the City Inspector.

(12.) "Registrar of Records and Statistics," another subordinate of the City Inspector. (b)

(13.) The Mayor.

(14.) Numerous Clerks of the sundry Boards and officers above mentioned. (c)

(15.) Expenses of present system. It is not easy, owing to the reticence of officials, and the method of making up reports, to get at the salaries of the foregoing Health Officers. As to some there is no doubt, and as to the residue a pretty close approximation and something like certainty may be readily reached.

(1.) Board of Health proper, (that is, sums paid	
Aldermen, Councilmen and Mayor as a	
Board of Health. (d)	\$35,000

(a) See affidavit attached as to the qualifications of those officers and the influences that secured their appointment. Appendix C.

(b) This officer gets up the bulky reports from the City Inspector's Department, and is put forward as one of the chief Health Officers of the city; though in fact he is a mere *clerical officer*, and has no authority worthy of mention.

(c) It may be remarked, that it is a great question with the citizens of New-York whether this "Registrar," the "City Inspector," the "Resident Physician," the "Health Commissioner," or the "Agent of the Board of Health," is the *greater* of the aforesaid officers; *but if one doctor holds two of these offices*, as is reported, he would seem to be clearly entitled to precedence.

(d) See Laws 1860, pp. 1017 and 1019, and Laws 1861, pp. 666 and 669, where that sum is so appropriated, though in 1864 it was apparently reduced to \$5,500, (Laws 1864, pp. 940 and 942,) by reason of the efforts to obtain a new Health Law.

(2.) Board of Commissioners of Health. Their salary as a Board, the writer has not satisfactorily ascertained, but estimates it at	12,000
(3.) The City Inspector,	5,000
(4.) Health Officer, unknown. . . .	
(5.) The Resident Physician, (\$1,250,) and <i>same person</i> in capacity of Agent of Board of Health, estimated \$4,000, total, . .	5,250
(6.) Health Commissioner,	3,500
(7.) Agent of the Board of Health, as above.	
(8.) Twenty-two wardens from \$1,000 to \$1,200 each,	25,000
(9.) Twenty-two Assistant Wardens, \$1,000 to \$1,200 each,	25,000
(10.) Superintendent Sanitary Inspection, (estimated,)	5,000
(11.) Registrar of Records, &c., (estimated,) .	4,000
(12.) The Mayor, (unknown.)	
(13.) Clerks, (estimated,)	10,000
(14.) Rent, incidentals, sundries, &c., &c., (estimated not less than)	15,000
	\$144,750

It will, therefore, be seen, even if the entire salary of every officer who performs any other duties than those under Health Laws proper, be rejected, and if no salary at all be allowed the Commissioners of Health as a body, and if the Salary of the Board of Health be only the sum appearing in the Statute of 1864; and if the incidental expenses estimated for, (which are believed to be far too small,) *are reduced by half; that after all these deductions are made, the expenses of the present system will yet be shown to be nearly double the amount required under the new law proposed.*

For proof that the present expensive organization is utterly inefficient and is incapable of reformation, see the extracts from the report of Mr. Delavan, late City Inspector, printed in Appendix B.

APPENDIX B.

Delavan's Report for 1861.

The following extracts from the report of the late City Inspector, Delavan, the immediate official predecessor of the present Inspector, (F. I. A. Boole,) afford a most significant answer to most of the representations of the latter officer and of his subordinates, and confirm the allegations of the friends of the pending bill, as to the distressing need of reform and the hopelessness of any relief under the present system. The report quoted is Mr. Delavan's official report, as City Inspector, (a pamphlet said not to be easily obtained at the present City Inspector's Office just now,) dated January 13th, 1862. Having read these remarks of Mr. Delavan, (for the frankness of which he perhaps lost his office,) a more correct estimate can be formed of the consideration due to the allegations of Mr. Boole now before the Legislature; which seem to imply that his department is a model of efficiency—that the health organization of the city is wonderfully efficient—that the laws are beautifully harmonious—that the health of the City of New-York is admirably protected—that the Board of Aldermen and Councilmen are the most disinterested, the best instructed and the most independent bodies that could possibly be selected to appoint health officers, and devise and enforce health regulations. Is it not strange, indeed, that a man with such plans and opinions as Mr. Delavan should have been compelled to give place to Mr. Inspector Boole and his theories?

Speaking of the defects of the registering of births, deaths and marriages, Mr. Delavan says, "Nor can this defect be remedied unless by legislative interposition, and by the passage of new laws with suitable penalties for non-compliance, which shall compel an obedience heretofore reluctantly yielded, and frequently refused." (Page 9.)

"But this accuracy, easily attained as regards the death record, cannot possibly be reached as regards the record of the births and marriages, in consequence of the defects in the present statute to which I have adverted. Thus one of the principal objects for which

the Bureau of Records and Statistics was instituted is defeated, and the usefulness of that branch of the department seriously impaired." (Page 10.)

Speaking of the unhealthy and neglected condition of the city, he says, "I refer to the under-ground apartments, the hot-beds of febrile disease, where it exists in its normal condition, ready for all subjects that are placed within its reach. Nothing can be more idle than to expect that those who dwell in these vaults of sickness can remain in the enjoyment of health. The medical faculty, with one accord, join in this opinion, and the question is forced upon us whether it shall be permitted to landlords to let such tenements to lodgers." (Pages 23 and 24.)

At page 25, he says: "In the upper part of the city, where the population is rapidly increasing, the fatal effects arising from the miasma of sunken and unfilled lots, from the pools of stagnant water with which many of them are filled, are to be seen in the records of our annual mortality."

Again, page 25: "I refer to the system of tenement houses, which has sprung up so gradually among us, that its increase has hardly been noticed. An estimate has been made which places us in possession of the information, that the mortality of those occupying these abodes, including infants and children, is as one to twenty. There seems to be no doubt of the correctness of this estimate, or, if there be any error, it is that the proportion of deaths is larger than herein described."

Again, page 26: "It is frequently the case that these buildings cover whole blocks, and such are the imperfections for the admission of light and ventilation, that, in some places, the sun is almost entirely excluded, and the air finds admission only from the doorway or the narrow passage leading to the rooms."

Speaking of the necessity of new legislation, he says, pp. 56 and 57: "It is interesting and instructive to trace the movements of the city authorities after their first earnest attempts to protect the health of the city, and their efforts in a new vocation, in which the predominant trait seemed to be *an utter want of knowledge of all the principles and laws which form the basis of sanitary success*. But if their movements were uncertain and their success limited, there is nothing strange in such a condition of things, *for a moment's consideration must convince us that qualifications necessary to conservators of the public health, are rarely, if ever dreamed of in the selection of members*

of our city councils. However just may be their intention, or with whatever zeal they may be disposed to dedicate themselves to this incidental but most important branch of public duty, *what portion of the community ever dreams in their selection of their qualifications for the most responsible trust of guarding the public health?* So little can be expected of them in the discharge of this branch of their duties, that it would be almost unjust to condemn them for a dereliction of those duties, delicate and vital as they are, *the performance of which never entered into the minds of those who elected them.* It may be safely said, that the selection of candidates for our city councils, on the ground of their fitness for the preservation of the health of the city, is a thing almost unknown. Other tests, whether on partisan grounds, or on higher grounds of the welfare of the city, may be required, but this test, surely not the least important, has been and will remain unheeded. If, then, the operation of the *total inability of our local legislators to handle a subject, the details of which have never engaged an hour of their lives, be admitted,* the charge of dereliction of duty on their part in the hour of danger should not be harshly made, and there should be no disappointment of expectations on that score, for no such expectations were ever entertained by those who placed them in power. *From the very nature of our elections there can be no improvement expected in the present state of things as regards the Public Health, so far as the Common Council are concerned; and the remedy apparent to every one must consist in the adoption of laws transferring the power of sanitary regulations to some other authority, of a different order of instruction in sanitary science."*

And further, at page 58 to 60, he says :

"The Common Council, first acting in one capacity, as legislators, under the disadvantages to which I have called your attention, those advantages become doubly apparent when they are resolved into an exclusive body, to act on one subject alone, and the *whole process becomes characterized with an inefficiency which would be regarded as ludicrous, were it not that the subject is of too vital importance to be lightly dealt with.* When the matter has thus been bandied about, it comes up for the third time in the body where it originated—the circumlocution having run its round—and ready for a new start, to travel in the same circle where it began, having, in the meantime, not made the slightest advance towards the preservation of the Health of the city—the warding off impending, or allaying actual pestilence. Such is

the construction of the Board of Health, one branch of our sanitary system ; and the other, the Commissioners of Health, is open to equal objection, from the manner of its organization and the want of a sufficient power. This body is composed of six persons, besides the Mayor, who is a member, ex officio. It consists of the President of the Board of Aldermen, the President of the Board of Councilmen, the Health Officer, the Resident Physician, the Health Commissioner, the City Inspector. It will be seen that the Common Council is here again represented by two of its members, and that the Board has the benefit of three medical officials, but, not having conferred upon it the full powers possessed by the Board of Health, it cannot, in many instances, carry into effect the measures deemed by it necessary for the preservation of the public health.

"The Board of Health, from the 1st of January last down to the present day, has not held a single meeting to consider the sanitary necessities of the city. With such a system, can there be a wonder that the sanitary condition of the city is not improved, or that the City Inspector is crippled in his power of action in this respect? Nor must the consideration be kept from view, that the members of the Common Council, the Board of Health and Commissioners of Health are all, from the manner of their appointment, subject to partisan influence. To expect a perfect sanitary system under such a condition of things is to expect an impossibility. The first groundwork of reform, in the opinion of the undersigned, is to bestow upon some other body, differently constituted, all power over the sanitary affairs of the city ; and until this is done, all other proposals of reform will be deprived of their essentially beneficial features. To escape present complications is the first great point to be gained ; and, this point secured, simplicity, promptness and efficiency may be substituted for inefficiency, complication and delay."

Again, at page 63, he says :

"As an additional measure of reform, I would recommend the abolishment of the present system of Health Wardens, and the consolidation of these offices in the Visiting Physicians of the Dispensaries, who are to receive, as compensation, the pay now allowed to those Health Wardens. In effecting this change, the city will have the safest security that its interests will be attended to, with promptness and efficiency, by a body of men in all respects qualified for their duties."

Again, at page 67, he says :

"It can hardly be questioned, that even the members of the Common Council would gladly be relieved of a burden that does not legitimately belong to their legislative functions—a responsibility from which, while they cannot shrink, they yet feel incompetent to assume; which brings with it no rewards for duties well performed, and is almost sure to bring condemnation when those duties have been imperfectly discharged, notwithstanding they may have been so discharged with the best motives."

APPENDIX C.

Mulligan's Affidavit.

HEALTH WARDENS.—1864.

	<i>Names.</i>	<i>Occupation.</i>
1st Ward,.....	Michael St. George,.....	Liquor Dealer. (1.)
2d ".....	Charles A. Lamont,.....	Refiner.
3d ".....	John J. Taylor,.....	Warden.
4th ".....	Daniel Lenny,.....	Notary.
5th ".....	James Lawrence,.....	Warden.
6th ".....	John Donnelly,.....	"
7th ".....	James Kennedy,.....	" Ship Canlker.
8th ".....	George Cox,.....	Oyster Saloon. (2.)
9th ".....	Alva Terhune,.....	Warden.
10th ".....	Roderick T. Entwistle,.....	Liquor Dealer. (3.)
11th ".....	Alois Ludwig,.....	Warden.
12th ".....	James Hope,.....	Liquor Dealer. (4.)
13th ".....	Samuel O. Donnell,.....	Warden.
14th ".....	John Cavanagh,.....	Liquor Dealer. (5.)
15th ".....	Elwood T. Jones,.....	Mason.
16th ".....	Peter Welsh,.....	Carpenter.
17th ".....	John Forney,.....	Warden.
18th ".....	John H. Forman,.....	Surveyor.
19th ".....	Patrick Carroll,.....	Liquor Dealer. (6.)
20th ".....	Joseph Brennan,.....	Warden.
21st ".....	Patrick Dec,.....	"
22d ".....	Thomas Higgins,.....	Liquor Dealer. (7.)

Seven of the twenty-two, Liquor Dealers.

ASSISTANT HEALTH WARDENS.

	<i>Names.</i>	<i>Occupations.</i>
1st Ward,	Andrew Carey,	Warden.
2d "	Walter Joyce,	"
3d "	John J. Crotty,	"
4th "	John S. Roche,	"
5th "	James O. Hall,	"
6th "	Terence Foley,	Liquor Dealer.
7th "	James Lee,	Liquor Dealer.
8th "	Ralph Bogert,	Trunks.
9th "	Thomas Culkin,	Warden.
10th "	Asa H. Bogart,	"
11th "	Henry Waltham,	"
12th "	Isaac Vermilyea,	"
13th "	James Davison,	"
14th "	Patrick Barnes,	Clerk.
15th "	Epes E. Ellery,	Paints.
16th "	John Ready,	Liquor Dealer.
17th "	Patrick Brady,	Warden.
18th "	Ananias Matthews,	"
19th "	Philip Fitzpatrick,	Liquor Dealer and Builder.
20th "	Herman Elvish,	Warden.
21st "	William Reynolds,	"
22d "	Alexander Wilder,	Notary.

County of New-York, ss. :

James Mulligan being duly sworn, deposes and says : That he resides in 117th-street, between 1st and 2d Avenues, in the 12th Ward of the City of New-York, and has for over sixteen years resided in said Ward ; that the foregoing list of Wardens and Assistant Wardens of New-York, for the past and present year, and of their occupations, he believes to be correct.

That many changes take place during the year, and he cannot state the length of time said persons held the office. That he has made personal examination and inquiry as to nearly all said persons, and has ascertained said persons, so inquired of, now hold said office, and believes all of them so indicated now holds said office, except as hereinafter mentioned.

That those mentioned as "liquor dealers," are keepers of stores or cellars where liquors are sold at retail, and as to some of them he knows, and as to all he believes, they personally and regularly attend to their daily and nightly customers at their stores or cellars. These places are known in New-York as "*corner liquor stores,*" and are the resort of large numbers of intemperate persons.

And deponent further says, that it is commonly reported and un-

derstood in New-York, *that liquor dealers obtain and retain the position of Health Wardens or Assistants by reason of their influence on such of their customers as are voters.*

That James D. Hall, Assistant Health Warden of the 5th Ward last year, is put down in Valentine's Manual as residing at 179 Church-street, and on going there, deponent finds 179 Church-street to be the house of 27 Hose Company, and said Hall reported to be a "bunker" and exempt fireman of that Hose Company, (that is, he resides and sleeps in the engine-house, though not on the list of active firemen.) His name is not given in the City Directory.

The Health Warden and the Assistant Health Warden of the 19th Ward at this time (unless they have been changed within a few days) are the keepers of the most extensive, and most frequented, and notorious liquor shops and grogeries of said Ward; and these facts are perfectly notorious in the Ward. *Liquor is sold at these places, at retail, to men, women and children. That the liquor store of Carrol, the Warden of said 19th Ward, is at the corner of Third Avenue and 42d-street, and is a second rate grog-shop, and the open resort of the idle and intemperate of the Ward, and said Carrol is an active politician.*

That deponent knows the Warden and Assistant Warden of the 12th Ward of said city very well. The first, James Hope, keeps and personally attends a liquor store, and the last (Isaac Vermilyea) is not, as deponent has reason to believe, *in any business but politics, and is to be found generally at Hope's liquor store*; and during the time said Assistant Vermilyea has held said office, he has devoted but very little, if any, time to the duties of his office, and causes of danger to health in said Ward are almost wholly neglected.

That the liquor store of said Warden (Hope) is the political headquarters of the 12th Ward, and (for the years 1863 and 1864) the Alderman of the 12th Ward (Jacob M. Long) *made Hope's liquor store or bar room the political head-quarters of the 12th Ward politicians, which he represented. That the primary elections and meetings in the Ward were always held in Hope's parlor, over the bar-room, or in the back room adjoining the same.*

And deponent further states, that he has acted as secretary of such meetings, and is acquainted with the manner and place of conducting them in other Wards, and he believes that what is true of the 12th Ward, is also true of the other Wards of the city.

That John Cavanagh, put down in the list as Warden in the 14th

Ward, deponent finds to live with a brother at corner of Mott and Murray streets; which brother keeps a second class liquor store at the last-named place.

That Patrick Barnes, the Assistant Warden of said Ward, is put down in the Directory for 1865, as a "Clerk," and is reported to be an active politician.

That James Lawrence, named in said list as Warden of the 5th Ward, as appears by the official Pay-rolls from the Mayor's Office, was paid up to February 1, 1865, and since that date (that is—within the last 15 days) one Michael McManus has been made Health Warden in place of said Lawrence in said 5th Ward, and McManus is the keeper of a notorious liquor store and gin-mill at 67 West Broadway, which deponent has visited to personally ascertain its condition. It is the resort of the idle and intemperate of the Ward, and is reported by the police as a low gin-mill.

That in place of William Reynolds, reported in Valentine's Manual for 1864, as Assistant Warden in the 21st Ward for that year, it appears by a report from the Mayor's Office, made this day, that one Bernard McCabe has been put in the place of said Reynolds. Said McCabe is reported in the City Directory for 1865, as keeping a liquor store at 391 3d Avenue in said city. And said McCabe is a well-known active politician.

That said McFormick was known as a sporting man and politician in said Ward, and had no active business, as deponent is informed and believes. That the police report said Morrissey as a bar tender, and deponent has reason to believe that, for years before his appointment, he was a bar-tender in a liquor and victualling house much frequented by car-drivers, at the corner of 49th-street and 8th Avenue, in said city.

That Terence Foley, the Assistant Warden in the 6th Ward, keeps and personally attends a liquor store at 41 Elm-street, near the Tombs of said city, which is a celebrated head-quarters not only of the politicians of said Ward but of the city officials generally.

Deponent further says, that it is generally understood, among those knowing the facts, that the appointments of Health and Assistant Health Wardens are, in a large measure, made to reward political service or to secure political influence, and from such reason there are many changes occurring during the year.

That it is the custom in the city that Health Officers, and other

officers, should pay a portion of their salary to support the political expenses of their party, and such is now the fact.

That Vermilyea, the Assistant Health Warden in said 12th Ward, has generally been an Inspector of Primary Elections in said Ward, and also an Inspector on regular election days.

That the Health Wardens and Assistant Health Wardens, as is generally understood, are selected by the Aldermen, and required to be nominated to the Board of Aldermen by the City Inspector, and are for the most part the well-known political agents and runners of the Aldermen of the respective Wards.

That the foregoing facts can be substantiated by the evidence of numerous persons.

JAMES MULLIGAN.

Subscribed and sworn to, before me, {
this 15th day of February, 1865. }

HENRY A. TAILOR,
Com'r of Deeds.

[STAMP, 5c.]

If any thing could add to the disgrace which the endurance of such a set of officials justly attaches to the City of New-York, it would be the fact, that *at the very time* the exposure of this shameful condition of things was being made before the Legislature, the officers which that body allowed to remain in power for another year appointed 44 successors to these officers that were, in like manner, (doubtless with some exception, but taken as a whole,) utterly unfit, and they now pretend to perform the high and important duties of the guardians of the life and health of near a million of people in the great metropolitan city of the Union.

We have taken pains to ascertain their names and occupations; and if any citizen of the State of New-York can read the list without a blush of hopeful shame, and a shock of healthy indignation, we shall despair of any aid from that person in the good work of reform.

The list is as follows:

HEALTH WARDENS.

- | | | |
|-----|-------|--|
| 1st | Ward. | Michael St. George, keeps junk store, 51 Pearl-street. |
| 2d | " | Daniel H. Warring, clerk, corner Water and Fulton sts. |
| 3d | " | John J. Taylor, oyster dealer. |

4th	Ward.	Daniel Leamy, shoemaker, liquor dealer and Assembly-man.
5th	"	Michael McManus, liquor store.
6th	"	John Donnelly, policy dealer.
7th	"	James Kennedy, caulker.
8th	"	Ralph Bogart, trunk-maker, 339 Hudson-street.
9th	"	John J. Terhune, cartman.
10th	"	R. T. Entwhistle, printer, Sergeant-at-arms Board of Councilmen and porter-house.
11th	"	Louis Ludwig, baker, 25 Avenue C.
12th	"	James Hope, porter-house, 25th-street and Third Ave.
13th	"	Sam'l O'Donnell, licensed vender.
14th	"	John Cavanagh, cartman.
15th	"	Wm. Stevenson, soap-maker, 186 Laurens-street.
16th	"	Peter Welsh, porter-house, cor. 26th-st. and Ninth Ave.
17th	"	John Tomey, clerk for Murray & Harrington, butchers, in Second-street.
18th	"	John H. Foreman, cartman.
19th	"	Patrick Carroll, porter-house, 612 Third Avenue.
20th	"	James Casey, driver for Knickerbocker Ice Co.
21st	"	Jeremiah Crowley, builder, 253 E. 32d-street.
22d	"	James A. McCormick, Custom House, hog dealer, Assistant Foreman 33 Engine Co.

ASSISTANT HEALTH WARDENS.

1st	Ward.	Andrew Carey, Constable and City Marshal.
2d	"	Walter Joyce, business—none.
3d	"	James McCluskey, shoemaker.
4th	"	John J. Roach, porter-house.
5th	"	Joseph Hoffmeyer, business—none.
6th	"	Terence Foley, " "
7th	"	James Lee, " "
8th	"	Bernard Neis, Ex-Policeman.
9th	"	Thomas Cankin, liquor dealer.
10th	"	Asa Bogart, mechanic.
11th	"	Henry Wohrtman, Ex-Policeman.
12th	"	Isaac Vermilyea, shoemaker, corner 110th-street and Third Avenue.

- 13th Ward. James Davison, licenced vender.
14th " Patrick Burns, porter-house.
15th " Tobias Lawrence, Fire Warden, Inspector of Hydrants.
16th " Charles Warnock, night watchman, 22d and 23d sts.
17th " Patrick Brady, plumber.
18th " Ananias Matthews, carpenter.
19th " Philip Fitzgerald, porter-house, 65 W. 45th-street.
20th " Adam Moser, shoemaker.
21st " John Murray, milkman.
22d " Lawrence Morrissey, bar-tender, 715 Ninth Avenue.



